# FEDERAL REGISTER

VOLUME 10 NUMBER 244

*Washington, Friday, December 14, 1945*


## *Regulations*

### TITLE 5—ADMINISTRATIVE PERSONNEL

#### Chapter I—Civil Service Commission

PART 25—FORMAL EDUCATION REQUIREMENTS FOR APPOINTMENT TO CERTAIN SCIENTIFIC, TECHNICAL AND PROFESSIONAL POSITIONS

ADDITIONS TO LIST

For the reasons set forth in accompanying justifications[1] filed with the Division of the Federal Register, the following positions are added to § 25.1 (a) (10 F.R. 7081, 12839):

§ 25.1 *Positions for which formal education requirements prescribed.* (a) * * *

Agronomist (Research), P-1, Department of Agriculture, Bureau of Plant Industry.
Assistant Physical Director, P-1, Veterans' Administration.
Biologist (Land Management), P-1, Soil Conservation Service, Department of Agriculture.
Clinical Psychologist, P-2 through P-5, in Veterans' Administration hospitals and out patient clinics and in U. S. Public Health Service clinics.
Education Specialist (all professional positions in the field of education), Office of Education, Federal Security Agency. The following positions are included, among others:
Director, Division of School Administration (Assistant Commissioner), P-8.
Director, Division of Secondary Education (Assistant Commissioner), P-8.
Chief, Instructional Problems, P-7; Specialist, Health Instruction and Physical Education, P-6 (Division of Elementary Education).
Chief, Instructional Problems, P-7; Specialist for Social Sciences and Geography, P-6, Specialist for Science, P-6 (Division of Secondary Education).
Chief, European Education Relations, P-7.
Forester, P-1, Department of Agriculture.
Psychiatric Social Worker, P-1, War Department, Ft. Storey, Virginia.
Range Conservationist (Ecology), P-1, Department of Agriculture.

[1] Filed as part of the original document.

(Sec. 5, Veterans Preference Act of 1944, 58 Stat. 387)

By the United States Civil Service Commission.

[SEAL] H. B. MITCHELL, *President.*

[F. R. Doc. 45-22248; Filed, Dec. 13, 1945; 9:34 a. m.]

### TITLE 14—CIVIL AVIATION

#### Chapter I—Civil Aeronautics Board

[Regs., Serial 353]

PART 40—AIR CARRIER OPERATING CERTIFICATION

NONCOMPLIANCE WITH REQUIREMENTS AS TO CERTIFICATION OF AIRCRAFT RADIO EQUIPMENT

Noncompliance with the requirements of § 40.253 of the Civil Air Regulations with respect to the certification of aircraft radio equipment.

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 11th day of December 1945.

The following Special Civil Air Regulation is made and promulgated to become effective December 11, 1945:

Notwithstanding the provisions of Part 40 of the Civil Air Regulations relative to the requirement for type certification of aircraft radio equipment installed in air carrier aircraft, units of uncertificated military aircraft radio equipment which the Administrator finds will render safe and satisfactory service may be so installed.

This regulation shall terminate June 1, 1946.

(52 Stat. 984, 1007; 49 U.S.C. 425, 551)

By the Civil Aeronautics Board.

FRED A. TOOMBS, *Secretary.*

[F. R. Doc. 45-22256; Filed, Dec. 13, 1945; 10:55 a. m.]

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## Chapter II—Administrator of Civil Aeronautics

[Amdt. 126]

### PART 601—DESIGNATION OF AIRWAY TRAFFIC CONTROL AREAS, AIRPORT APPOACH ZONES, AIRPORT TRAFFIC ZONES AND RADIO FIXES

DESIGNATION OF AIRPORT APPROACH ZONES

NOVEMBER 29, 1945.

Acting pursuant to the authority vested in me by section 308 of the Civil Aeronautics Act of 1938, as amended, and Special Regulation No. 197 of the Civil Aeronautics Board, I hereby amend Part 601 of the Regulations of the Administrator of Civil Aeronautics as follows:

1. By deleting from § 601.2000 the following: "Chicago, Illinois.—Chicago Municipal Airport."

2. By adding a new § 601.200323, as follows:

§ 601.200323 (*Chicago, Illinois Airport Approach Zone*). Within a 10 mile radius of Chicago Municipal Airport, and including that portion within the limits of Amber Civil Airway No. 5 extending northward to the Franklin Park Fan Marker and southwestward to the intersection of the center lines of the on course signals of the northeast course of the Joliet, Illinois radio range and the southwest course of the Chicago, Illinois radio range.

3. By adding a new § 601.200109, as follows:

§ 601.200109 (*Elizabeth City, North Carolina Airport Approach Zone*). Within a 30 mile radius of Wade Point, Latitude 36° 08′ 25″, Longitude 76° 05′ 00″, Elizabeth City, N. C.

4. By adding a new § 601.200110, as follows:

§ 601.200110 (*Patuxent River, Maryland Airport Approach Zone*). Within a 25 mile radius of Patuxent NAS, Patuxent River, Maryland, up to and including the altitude of 4000 feet above mean sea level.

This amendment shall become effective 0001 e. w. t., December 15, 1945.

T. P. WRIGHT,
*Administrator of Civil Aeronautics.*

[F. R. Doc. 45-22255; Filed, Dec. 13, 1945; 10:02 a. m.]

## TITLE 22—FOREIGN RELATIONS

## Chapter I—Department of State

### PART 22—TRADING WITH THE ENEMY

TRANSPORTATION OF CERTAIN ALIENS

Pursuant to section 3 (b) of the Trading with the Enemy Act of October 6, 1917 (40 Stat. 412; 50 U.S.C., App., 3b) and section XXVII of Executive Order 2729-A, of October 12, 1917, §§ 22.2, 22.3 and 22.8 of Part 22 of Title 22 of the Code of Federal Regulations issued on March 5, 1943, are hereby amended to read as follows:

§ 22.2 *General license for transportation.* A general license is hereby granted, authorizing for the purpose of section 3 (b) of the Trading with the Enemy Act:

(a) The transportation of any citizen or subject of an enemy nation or ally-of-an-enemy nation, from any point within the United States to any point outside of the United States: *Provided,* That such citizen or subject has a valid permit to depart, a valid exit visa, a valid border-crossing identification card issued on or after December 7, 1941, or a valid re-entry permit issued with the concurrence of the Secretary of State as to destination, or that he is exempted under § 58.23 of this chapter (10 F.R. 5896), and any amendments thereof, from the necessity of obtaining a permit to depart: *Provided further, however,* That if such citizen or subject obtains a permit to depart, an exit visa, a border-crossing identification card, or a re-entry permit, the license hereby granted shall extend only to transportation to the destination for which such documents were granted, or the destination specified therein.

(b) The transportation of any citizen or subject of an enemy nation or ally-of-an-enemy nation, who has a valid permit to enter the United States issued on or after December 7, 1941, or who is exempted under § 58.44 or § 58.45 of this chapter (10 F.R. 8997), or any amendments thereof, from the necessity of obtaining a permit to enter: *Provided,* That such transportation shall be from a point outside the United States to a point in the United States in the ordinary course of the alien's journey, and shall not include travel over, to, or through the Panama Canal Zone, or over, to, or through any restricted military or naval area, unless permission to travel through the Panama Canal Zone or other such restricted military or naval area shall have been procured from the appropriate authorities of the United States.

(c) The transportation within the United States of any citizen or subject of an enemy nation or ally-of-an-enemy nation, whose transportation has been authorized by the Attorney General or by the Secretary of War under Proclamations 2525 (6 F.R. 6321), 2526 (6 F.R. 6323), and 2527 (6 F.R. 6324), (3 CFR, Cum. Supp.), and rules and regulations thereunder.

(d) The transportation of any citizen or subject of an enemy nation or ally-of-an-enemy nation, except a Japanese person who is a citizen or subject of an enemy nation or ally-of-an-enemy nation, from one point outside of the United States to another point outside of the United States: *Provided,* That such transportation shall be entirely outside of the United States but may include travel over, to, or through the Panama Canal Zone, or over, to, or through any restricted military or naval area, if permission to travel through the Panama Canal Zone or other such restricted military or naval area shall have been procured from the appropriate authorities of the United States: *Provided further,* That the principal diplomatic or consular officer of the United States at or nearest the intended originating transportation point is satisfied, after such investigation as he may deem to be appropriate, that such transportation is not dangerous to the peace and safety of the United States or prejudicial to the defense of the Western Hemisphere.

§ 22.3 *Reservation of the power to withdraw the general license.* This general license, or any portion thereof, may be withdrawn with reference to the transportation of any citizen or subject of an enemy nation or ally-of-an-enemy nation, or any class thereof, by order of the Secretary of State, and nothing in this part shall be construed as exempting any alien from the necessity of complying with any other laws, regulations, or requirements relating to travel to, from, or within the United States.

* * * * *

§ 22.8 *Applications for required licenses not covered by General License No. 1 (See* § 22.2). In a case which is not covered by General License No. 1 but one in which a license for travel is nevertheless required, the transportation agency will execute the application for license on form ET-1, copy of which is obtainable from the Secretary of State. This form may be transmitted by the transportation agency to the diplomatic or consular officer of the United States at or nearest the intended originating transportation point, for transmission to the Department of State; or it may be transmitted by the transportation agency direct to the Department. Such applications, with the exception of those covering travel from one point in an independent country of the Western Hemisphere to another point in the same country, outlined in § 22.5 hereof, will be considered by the Department before a license is granted. The diplomatic or consular officer of the United States at or nearest the intended originating transportation point will be notified of the Department's decision. If a license is granted by the Department, the diplomatic or consular officer, if he believes the circumstances warrant, may temporarily suspend the license and immediately forward a full report to the Department.

This regulation shall become effective immediately upon filing with the Division of the Federal Register.

[SEAL] JAMES F. BYRNES,
*Secretary of State.*

DECEMBER 11, 1945.

[F. R. Doc. 45-22238; Filed, Dec. 12, 1945; 12:22 p. m.]

## TITLE 31—MONEY AND FINANCE: TREASURY

### Subtitle A—Office of the Secretary

### PART 10—REGULATIONS RELATING TO THE PRACTICE OF ATTORNEYS AND AGENTS

QUALIFICATIONS FOR ENROLLMENT

DECEMBER 12, 1945.

Subparagraphs (1) and (2) of paragraph (a) of § 10.3 are hereby amended to read as follows:

§ 10.3 *Qualifications for enrollment.* (a) * * *

(1) Attorneys at law who have been admitted to practice before the courts of any State or Territory, or the District of Columbia, and who are lawfully engaged in the active practice of their profession.

(2) Certified public accountants who have duly qualified to practice as certified public accountants in their own names, under the laws and regulations of any State or Territory, or the District of Columbia, and who are lawfully engaged in active practice as certified public accountants.

[SEAL] FRED M. VINSON,
*Secretary of the Treasury.*

[F. R. Doc. 45-22240; Filed, Dec. 12, 1945; 4:09 p. m.]

## TITLE 32—NATIONAL DEFENSE

### Chapter IX—Civilian Production Administration

AUTHORITY: Regulations in this chapter unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 177, 58 Stat. 827; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; E.O. 9599, 10 F.R. 10155; E.O. 9638, 10 F.R. 12591; CPA Reg. 1, Nov. 5, 1945, 10 F.R. 13714.

### PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 13, Direction 5]

DISPOSAL OF CERTAIN SURPLUS NYLON FABRIC FOR USE AS LININGS FOR LOW-COST WOOL ITEMS

The following direction is issued pursuant to PR 13:

(a) *Effect of this direction.* There is urgent need for fabric suitable for use as lining material for low cost civilian apparel wool items being produced with priorities assistance under the special program provided by Schedule K of CPA Order M-328B, since rayon lining fabric is not readily obtainable in sufficient quantities from new production.

The purpose of this direction is to make available, for use only as lining material for such wool items, a supply of nylon cloth (parachute type, white and camouflage) now held by the Reconstruction Finance Corporation as surplus property under Declaration 11122, Items 10 and 11, amounting to about 4,500,000 yards. It permits sales of such nylon fabric to be made by RFC in either of these ways only: The fabric may be sold to manufacturers of such wool items who have obtained CC ratings under PR-28 for lining material for use in such wool items; or the fabric may be sold to finished goods suppliers for resale to such manufacturers only.

Although this direction restricts sales to persons who will use or dispose of the fabric for the purposes specified, it does not prohibit RFC from making sales, to the persons and for the purposes specified, upon such other terms and in such quantities as RFC may determine; and preference ratings have no effect upon any sales which may be made by RFC, either by way of obliging it to sell or by way of determining, as among the several buyers permitted by this direction, who shall get the nylon fabric from RFC. (This does not relieve any person, other than RFC, from giving priority to rated orders for such fabric.)

(b) *Persons who may purchase.*—(1) *From RFC.* No person may buy from RFC any of the surplus nylon fabric referred to in paragraph (a) above, and RFC may not sell any of such fabric, except where the purchaser is a manufacturer of wool items who has received priorities assistance under Schedule K of Order M-328B, has been assigned a CC rating under Priorities Regulation 28 for lining fabric for use in such wool items, and gives a certificate with his purchase order in the form described in paragraph (c) (1) below, or where the purchaser is a finished goods supplier who purchases for resale to such manufacturers and gives a certificate with his purchase order in the form described in paragraph (c) (2) below.

(2) *From finished goods suppliers.* A finished goods supplier to whom RFC sells any of the surplus nylon fabric referred to in paragraph (a) above may not sell or deliver any of such fabric (either in the form in which received or after further finishing), and no person may buy or receive any of such fabric from a finished goods supplier, except where the purchaser is a manufacturer of wool items who has received priorities assistance under Schedule K of Order M-328B, has been assigned a CC rating under PR-28 for lining fabric for use in such wool items, and gives a certificate with his purchase order in the form described in paragraph (c) (1) below.

(c) *Certifications*—(1) *By apparel manufacturers.* An apparel manufacturer who is producing wool items with preference rating assistance under the conditions described in paragraph (b) (1) and (b) (2) above, must give substantially the following certificate with his purchase order to RFC or to a finished goods supplier (as the case may be):

"The undersigned certifies to the seller and CPA, subject to the criminal penalties of section 35 (A) of the United States Criminal Code, that (i) he is a manufacturer of wool items with priorities assistance under Schedule K of CPA Order M-328B, and has been assigned a CC rating under PR-28 of the CPA to get lining fabric for use in such wool items; (ii) the fabric obtained under this purchase order will be used only as linings in such wool items; and (iii) the quantity of fabric being purchased, together with the quantity of other lining fabric ordered with the rating and received or promised for delivery by the end of December 1945, will not exceed the total quantity for which the rating was granted."

(2) *By finished goods suppliers.* Any finished goods supplier to whom RFC sells any of the surplus nylon fabric referred to in paragraph (a) above, must give substantially the following certificate with his purchase order to RFC:

"The undersigned certifies to the seller and CPA, subject to the criminal penalties of section 35 (A) of the United States Criminal Code, that (i) he is a finished goods supplier; and (ii) he will dispose of the nylon fabric covered by this purchase order (either in the form received, or after further finishing) only to persons who give him with their purchase orders the certificate described in paragraph (c) (1) of Direction 5 to PR-13 of CPA."

(3) *Obligations of persons giving certificates.* Any person giving either of the certificates described above may obtain, use or dispose of the fabric he gets with the certificate only in accordance with its terms.

(4) *Use of other certificates.* The standard certification in Priorities Regulation 7 may not be used instead of the certificates referred to above. (An apparel manufacturer ordering any of the nylon fabric from a finished goods supplier with the certificate required for the use of a preference rating must also give the certificate in paragraph (c) (1) above, to get any of the nylon fabric dealt with by this direction.)

(d) *Expiration date.* Unless sooner revoked, this direction shall expire at the end of March 1946; but its expiration at that time shall not relieve any person who has obtained nylon fabric by use of either of the certificates referred to above, from the obligation of using or disposing of the fabric in accordance with the certificate which he has given.

Issued this 12th day of December 1945.

CIVILIAN PRODUCTION ADMINISTRATION,
By J. JOSEPH WHELAN,
*Recording Secretary.*

[F. R. Doc. 45-22201; Filed, Dec. 12, 1945; 11:16 a. m.]

### PART 903—DELEGATIONS OF AUTHORITY

[Directive 14, Revocation]

ELECTRONIC RESEARCH SUPPLY AGENCY

Section 903.127 *Directive 14* is hereby revoked.

Issued this 12th day of December 1945.

J. D. SMALL,
*Civilian Production Administrator.*

[F. R. Doc. 45-22242; Filed, Dec. 12, 1945; 4:27 p. m.]

### Chapter XI—Office of Price Administration

### PART 1372—SEASONAL COMMODITIES

[MPR 210,[1] Amdt. 20]

KNITTED FALL AND WINTER UNDERWEAR AND SLEEPING GARMENTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation 210 is amended in the following respect:

[1] 7 F.R. 6789, 7318, 7912, 8651, 8930, 8937, 8948, 9614, 10109; 8 F.R. 973, 6359, 13060, 13742, 16170.

Section 1372.101 (a) is amended by adding the following sentence: "However, on and after December 20, 1945, this regulation shall not apply to sales of the types of knitted fall and winter underwear and sleeping garments covered by § 1372.112 (i), except sales by "house-to-house sellers" as this term is defined in General Retail Order 3[2] to Maximum Price Regulation 580."

This amendment shall become effective December 20, 1945.

Issued this 13th day of December 1945.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 45-22276; Filed, Dec. 13, 1945; 11:26 a. m.]

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PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 426,[1] Amdt. 155]

FRESH FRUITS AND VEGETABLES FOR TABLE USE, SALES EXCEPT AT RETAIL

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.

Maximum Price Regulation 426 is amended in the following respects:

1. Section 5a is amended to read as follows:

SEC. 5a. *Special provisions for sales of gift packages and produce to be used in gift packages*—(a) *Exempt sales of gift packages.* Sales and deliveries of gift packages (as defined in section 8) are exempt from this regulation if all of the following conditions are satisfied:

(1) The sale is made by the packer of the gift package to an ultimate consumer; and

(2) The order is taken directly by the packer from the consumer and not through any agent except a regularly paid employee, and delivery is made directly by the packer and not through any agent except a regularly paid employee or a carrier; and

(3) The sale provides for delivery of not more than five packages in one lot to any one person.

(b) *Exempt sales of produce to be used in gift packages.* Sales of produce to packers of gift packages are exempt from this regulation if the produce sold is to be used and resold in gift packages. However, within five days after each purchase that is exempt under this paragraph, the buyer shall file an affidavit with the Regional Office of the Office of Price Administration for the Region in which he has his principal place of business giving the following facts:

(1) His name and address;

(2) The seller's name and address;

(3) The date of the purchase;

(4) The quantity of and a description of the produce purchased; and

(5) A statement that the produce was bought for use and resale in gift packages.

(c) *Maximum prices for packers' sales of gift packages.* For a sale of gift packages not exempted by this regulation made by a person who packed any of the packages, the maximum price is the maximum price (if any) prescribed by Maximum Price Regulation 421, 422 or 423. If none of those regulations applies, the maximum price depends upon his "base price", figured as follows: he determines the actual cost to him (not to exceed the legal cost) of the packaging materials, containers and any items in the package to which no maximum prices would apply if he sold them separately. To that cost, he adds the sum of the maximum prices that would apply to the rest of the items if he sold them separately.

(1) If the packer would be a service wholesaler, as defined in the Appendices to this regulation, as to each produce item in the package if he sold it separately, his maximum price is 110% of his base price.

(2) If sub-paragraph (1) does not apply to the packer and if he is regularly engaged in the business of selling produce at country shipping points, terminal markets and other wholesale receiving points and shipping to terminal markets and other wholesale receiving points, either in person or through salaried representatives, brokers, auctioneers or other agents and if he does not make more than 25% by volume of his sales to any person other than a government procurement agency in the current year, his maximum price is 107% of his base price.

(3) If subparagraphs (1) and (2) are both inapplicable to the packer and if he makes the sale in less-than-carlots or less-than-trucklots through an agent who for a commission or fee receives the packages, unloads them from the car, truck or other conveyance and sells them from his store or warehouse for the account of the packer, the packer's maximum price is 105% of his base price plus the lowest of the following amounts: (i) the agent's actual commission or fee, (ii) the agent's maximum commission or fee under Revised Maximum Price Regulation 165 or (iii) 5% of the base price.

(4) If subparagraphs (1), (2) and (3) are all inapplicable to the packer and if he makes the sale through an agent who charges him a commission or fee, the packer's maximum price is 105% of his base price plus the lowest of the following amounts: (i) the agent's actual commission or fee, (ii) the agent's maximum commission or fee under Revised Maximum Price Regulation 165 or (iii) 2% of the base price.

(5) If subparagraphs (1), (2), (3) and (4) are all inapplicable to the packer, his maximum price is 105% of his base price.

(d) *Maximum prices for other sales of gift packages.* For a sale of gift packages not exempted by this regulation made by a person who did not pack any of the packages, the maximum price is the maximum price (if any) prescribed by Maximum Price Regulation 421, 422 or 423. If none of those regulations applies, the maximum price is 110% of the packer's maximum price.

2. Section 8 (a) (3) is amended to read as follows:

(3) "Ultimate consumer" is a person who purchases fresh fruits or vegetables for table use, for home processing, for use as a gift or for other personal use.

3. Section 8 (a) (17) is added to read as follows:

(17) "Gift package" in this regulation means either (i) a container, other than a standard container or part of a standard container, which is specially made, wrapped or otherwise particularly adapted for use as a gift and which contains specially packed items at least one of which is subject to price control under this regulation; or (ii) any container not larger than a standard container which contains specially packed items at least one of which is subject to price control under this regulation; whether or not, in either case, the produce is mixed with other items such as nuts, jams, preserves and glace fruits.

4. In section 15, Appendix I, paragraph (a), the next to last sentence is amended to read as follows:

Sales by growers or country shippers of five containers (not larger than a "standard" box) or less of citrus fruits in any one lot by mail or express to any one ultimate consumer shall be exempt from the provisions of this regulation; however, this provision does not apply to "gift packages" (see section 5a).

5. In section 15, Appendix J, paragraph (a), the next to last sentence is amended to read as follows:

However, this exemption does not apply to "gift packages" (see section 5a).

6. In section 15, Appendix K, paragraph (a), the last sentence is amended to read as follows:

However, this exemption does not apply to "gift packages" (see section 5a).

This amendment shall become effective December 12, 1945.

Issued this 12th day of December 1945.

CHESTER BOWLES,
*Administrator.*

Approved: December 11, 1945.

J. B. HUTSON,
*Acting Secretary of Agriculture.*

[F. R. Doc. 45-22243; Filed, Dec. 12, 1945; 4:23 p. m.]

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PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[RMPR 471, Amdt. 11]

LEGUME AND GRASS SEEDS

A statement of the considerations involved in the issuance of this amend-

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[1] 10 F.R. 7403, 7500, 7539, 7578, 7668, 7683, 7799, 8021, 8069, 8239, 8467, 8611, 8657, 8905, 8936, 9023, 9118, 9119, 9277, 9447, 9628, 9928, 10025, 10229, 10311, 10303, 11072, 12084, 12408, 12447, 12532, 12367, 12702, 12213, 12247, 12637, 12745, 12960, 13129, 13271, 13313, 13369, 13595, 13776, 14027.

[2] 10 F.R. 12603, 13814.

[3] 10 F.R. 3015, 3468, 3642, 4236, 4494, 4611, 9982, 13715.

ment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 11 of Revised Maximum Price Regulation 471 is amended to read as follows:

SEC. 11. *Maximum prices for sales of thresher-run or rough cleaned seed on a quality cleaned basis*—(a) *How price is determined.* If you are a producer, you may sell your thresher-run or rough cleaned seeds to a country dealer or a commercial processor at the maximum prices established by section 12 (a) (1) of this regulation for the kind and quality of seed sold as determined after such seed has been quality cleaned, tested and labeled: *Provided,* That the following deductions for certain cleaning services performed must be made from such maximum prices.

(i) For quality cleaning over screen and air separation mills only.

| Kind of seed | Per 100 pounds of seed | |
|---|---|---|
| | On quality cleaned basis | On in-weight basis |
| Alfalfa, red clover, and alsike clover | $1.00 | $0.75 |
| Sweetclover | .70 | .50 |
| Timothy | .50 | .40 |

(ii) For additional quality cleaning over specialized seed cleaning machinery such as dodder, buckhorn, or gravity mills.

| Kind of seed | Per 100 pounds of seed | |
|---|---|---|
| | On quality cleaned basis | On in-weight basis |
| Alfalfa, red clover, and alsike clover | $1.00 | $0.75 |
| Sweetclover | .65 | .50 |
| Timothy | .50 | .40 |

(b) *Commingling.* If the thresher-run or rough cleaned seeds sold by you are commingled with other thresher-run or rough cleaned seeds in the process of quality cleaning, the kind and quality of the seeds sold by you shall be determined on the basis of the kind and quality of the commingled seeds after they have been quality cleaned. The amount of seed for which you may receive payment shall be determined by applying the same percentage to the commingled lot after it has been quality cleaned that your lot, dockage free, bore to the commingled lot, dockage free, before it was quality cleaned.

(c) *Advance payment.* Notwithstanding any other provision in this regulation, a country dealer or commercial processor who purchases thresher-run or rough cleaned seeds on a quality cleaned basis from a producer shall not pay such producer, prior to the time such seeds have been quality cleaned as defined in section 8 (a) (7) of this regulation, an amount in excess of 75 percent of the maximum price applicable to the seeds at the time of delivery determined on a dockage basis under the appropriate provisions of section 3 (a) (12) and section 10.

This amendment shall become effective December 13, 1945.

Issued this 13th day of December 1945.

CHESTER BOWLES,
*Administrator.*

Approved: December 10, 1945.

CLINTON P. ANDERSON,
*Secretary of Agriculture.*

[F. R. Doc. 45-22277; Filed, Dec. 13, 1945; 11:26 a. m.]

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PART 1499—COMMODITIES AND SERVICES

[SR 14E[1] Amdt. 19]

SALES AT WHOLESALE OF CERTAIN COTTON PRODUCTS

A statement of the considerations involved in the issuance of this amendment issued simultaneously herewith has been filed with the Division of the Federal Register.

Section 2.7 of Supplementary Regulation 14E is amended in the following respects:

1. The heading to section 2.7 is amended to read as follows: "*Sales at wholesale of certain cotton products and certain manufactured articles.*"

2. The words "an article" are substituted for the words "the [or "a"] cotton product" (singular or plural) where the latter appear in paragraphs (b), (c) and (d).

3. Paragraph (b) (6) is amended by adding the following undesignated paragraph:

This paragraph (6) shall also not apply to sales covered by section 2.7 (r).

4. Paragraph (r) is added to section 2.7 to read as follows:

(r) *Ceiling prices at wholesale for certain articles of knitted underwear and knitted wear*—(1) *Articles priced under this paragraph.* Under this paragraph maximum prices are established for sales at wholesale of all types of lightweight and heavyweight knitted underwear, including knitted sleeping garments and knitted athletic, sweat and "Tee" shirts. The types include any knitted underwear, regardless of yarn content, worn by men, women, children and infants. "Knitted" underwear means underwear of which the body fabric is made of 50% or more knited fabric by weight.

(2) *Maximum prices.* The maximum prices for sales at wholesale of the knitted underwear described in the preceding subparagraph are the lower of:

(i) The sum of the net cost of the article being priced and 21.7% of that net cost for out-of-stock shipments; but in the case of "drop shipments," the sum of the net cost of the article being priced and 12.7% of that net cost; or

(ii) The sum of the net cost of the article being priced and an amount derived by applying the seller's "1942 markup" to that net cost.

(3) *Meaning of terms.* (i) The term "net cost" is defined in paragraph (a) (5).

(ii) The term "1942 markup" means the markup you had in March 1942 for the article you are pricing. To figure this markup:

(a) Find the last invoice you received prior to March 31, 1942, for an article covered by this paragraph which you delivered in March 1942 in the type of sale (out-of-stock or drop shipment) involved in the sale of the article you are pricing;

(b) Determine your net cost of that article you delivered in March 1942;

(c) Find the difference between this net cost and the highest price at which you delivered that article in March 1942 for the type of sale involved in the sale of the article you are pricing;

(d) Divide this difference by the net cost determined in (b). The result is your "1942 markup."

This amendment shall become effective December 20, 1945.

Issued this 13th day of December 1945.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 45-22274; Filed, Dec. 13, 1945; 11:26 a. m.]

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PART 1499—COMMODITIES AND SERVICES

[SR 14E[1], Amdt. 20]

MODIFICATIONS OF MAXIMUM PRICES, ESTABLISHED BY GENERAL MAXIMUM PRICE REGULATION FOR CERTAIN TEXTILES, LEATHER AND APPAREL

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 1.2 (h) of Supplementary Regulation 14E is amended in the following respect:

Category Number 4 is amended to read as follows:

4. All leathers other than those listed in categories 2 and 3; unsupported flexible thermo plastic material; and patent cloth (hand japanned fabric processed exactly as patent leather is processed).

This amendment shall become effective December 18, 1945.

Issued this 13th day of December 1945.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 45-22275; Filed, Dec. 13, 1945; 11:26 a. m.]

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## Chapter XIV—War Contracts Price Adjustment Board

RENEGOTIATION REGULATIONS

The changes and additions to Parts 1602, 1603, 1604, 1607, and 1608 set forth below are also contained in Revision 22 of the Renegotiation Regulations dated November 23, 1945.

MAURICE HIRSCH,
*Colonel, General Staff Corps,*
*Chairman.*

[1] 10 F.R. 1183, 2014, 4156, 7117, 7497, 7667, 9337, 9540, 9963, 10021, 11401, 12601.

[1] 10 F.R. 1183, 2014, 4156, 7117, 7497, 7667, 9337, 9540, 9963, 10021, 11401, 12601, 12612, 13271, 13692, 13826.

PART 1602—PROCEDURE FOR RENEGOTIATION

SUBPART A—ASSIGNMENTS FOR RENEGOTIATION AND CANCELLATIONS

1. A paragraph is added at the end of § 1602.206–3, as follows:

§ 1602.206–3 *When not subject to act; evidence required.* * * *

Cancellation of an assignment of a fiscal year ending in 1945 or 1946 on the ground that the receipts or accruals of the contractor do not exceed the statutory minimum may be requested prior to the close of such fiscal year in accordance with either of the procedures authorized by items (1) and (2) of this section, if the renegotiating agency is satisfied at the time of request that the contractor's receipts or accruals do not exceed the statutory minimum and if the contractor is not expected to receive or accrue any further amounts under contracts with the Departments and subcontracts. [RR 206.3]

2. Section 1602.206–4 is amended to read as follows:

§ 1602.206–4 *When no excessive profits; evidence required.* When the cancellation of assignment is sought on the ground that no excessive profits have been realized on renegotiable business, the minimum information required for consideration by the War Contracts Board will ordinarily be that called for by the "Standard Form of Contractor's Report" (see § 1607.701–1 of this chapter) including Section B thereof. When necessary, information will be required as to the proper allocation of costs and expenses applicable to renegotiable and other sales. With respect to fiscal years ending in 1945 and 1946, requests for cancellation of assignments under this section may be made prior to the end of such fiscal years in any case where a determination of no excessive profits could be made by agreement under the provisions of § 1603.313–1 of this chapter. [RR 206.4]

3. Section 1602.206–7 is added, as follows:

§ 1602.206–7 *Cancellations prior to end of fiscal year.* If an assignment is cancelled prior to the close of the contractor's fiscal year, the renegotiating agency requesting the cancellation shall be charged with the responsibility of determining after the close of such fiscal year whether the assignment should be reinstated. Such responsibility will include the sending of a letter of preliminary inquiry to the contractor, the examining of the Standard Form of Contractor's Report and related documents, or such other action necessary to protect the interests of the Government. [RR 206.7]

SUBPART B—PRELIMINARY INFORMATION REQUIRED OF CONTRACTORS

1. Sections 1602.222–2 and 1602.222–3 are amended to read as follows:

§ 1602.222–2 *Time for filing.* The mandatory financial statements hereby prescribed shall be filed on or before the first day of the fourth month following the close of the fiscal year of the contractor (or if such fiscal year had been closed on February 25, 1944, on or before the first day of June, 1944), whether or not any demand has been made by the War Contracts Board or by any person on its behalf. (See also § 1603.313–3 of this chapter. [RR 222.2]

§ 1602.222–3 *Place for filing.* Except as stated herein, the mandatory financial statements hereby prescribed shall be filed with the War Contracts Price Adjustment Board, Assignments and Statistics Branch, Room 3B 525, The Pentagon, Washington 25, D. C. Where the contractor has received a "Letter of Preliminary Inquiry" (see § 1602.223) and a "Standard Form of Contractor's Report" from a renegotiating Agency, the mandatory financial statements hereby prescribed shall be filed with that Agency. The mandatory financial statements hereby prescribed shall in all cases be filed in duplicate with the exception of the Standard Form of Contractor's Report (For Agents, Brokers, and Sales Engineers) (as set forth in § 1607.701–5 of this chapter) which shall be filed in triplicate. The renegotiating agency will forward one copy to the War Contracts Board within sixty days after receipt of the Report by the renegotiating agency. [RR 222.3]

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PART 1603—DETERMINATION OF RENEGOTIABLE BUSINESS AND COSTS

SUBPART A—FISCAL YEAR BASIS FOR RENEGOTIATION AND EXCEPTIONS

Sections 1603.313 to 1603.313–3 are added, as follows:

§ 1603.313 *Renegotiation with respect to fiscal years ending in 1945 and 1946.* [RR 313]

§ 1603.313–1 *Renegotiation before close of fiscal year.* The Department to which a contractor has been assigned for renegotiation with respect to a fiscal year ending in 1945 or 1946 may commence and complete renegotiation proceedings prior to the end of such fiscal year, provided

(a) That there is available to the renegotiating agency adequate and reliable information upon which there can be based a determination of "profits derived from contracts with the Departments and subcontracts", as that term is defined in subsection (a) (4) (B) of the Renegotiation Act; and

(b) That at the time of renegotiation the contractor is not expected to have any receipts or accruals under contracts and subcontracts in addition to those with respect to which the determination of excessive profits or of no excessive profits is made; and

(c) That the aggregate receipts or accruals of the contractor and his affiliates from contracts with the Departments and subcontracts described in subsection (a) (5) (A) of the act exceed $500,000 (or $25,000 in the case of subcontracts described in subsection (a) (5) (B) of the act) at the time of renegotiation; and

(d) That the determination of excessive profits or the determination of no excessive profits is embodied in an agreement; and

(e) That either of the following procedures is observed:

(1) The determination of excessive profits or of no excessive profits is made only for a part of the contractor's fiscal year and there is inserted in the agreement embodying such determination the special contract article set forth in paragraph (i) (1) of § 1607.741–2 of this chapter; or

(2) The determination of excessive profits or of no excessive profits is made with respect to the contractor's entire fiscal year, and there is inserted in the agreement embodying such determination the special contract article set forth in paragraph (i) (2) of § 1607.741–2 of this chapter. [RR 313.1]

§ 1603.313–2 *Renegotiation with respect to fiscal years ending after July 31, 1945.* Subsection (h) of the Renegotiation Act provides that such act shall apply only with respect to profits from contracts with the Departments and subcontracts which, under regulations prescribed by the Board, are determined to be allocable to performance prior to the close of the termination date as defined in such subsection (see § 1603.370 and following). To ensure the proper application of that subsection in the event that the termination date should be fixed at a date prior to December 31, 1945, no determination of excessive profits or of no excessive profits shall be made with respect to fiscal years ending after July 31, 1945 unless such determination is embodied in an agreement in which there is inserted the special contract article set forth in paragraph (i) (3) of § 1607.741–2 of this chapter (whether or not such fiscal year has ended at the time of renegotiation). The provisions of this subparagraph shall not apply with respect to a determination of excessive profits or no excessive profits (a) which is made after the date on which the termination date of the Renegotiation Act, as defined in subsection (h) thereof, becomes fixed or (b) which is made for a part of contractor's fiscal year under § 1603.313–1 (e) (2) which part ended on or before July 31, 1945. [RR 313.2]

§ 1603.313–3 *Standard form of contractor's report.* If renegotiation is conducted pursuant to the provisions of this section, the renegotiating agency shall be responsible for examining the Standard Form of Contractor's Report and related documents and determining whether further action should be recommended to the War Contracts Price Adjustment Board. In this connection it should be noted that the contractor's statutory obligation to file the statements referred to in § 1602.222 of this chapter (covering the contractor's entire fiscal year) is not affected by the execution of a renegotiation agreement pursuant to this section. [RR 313.3]

SUBPART D—MANDATORY EXEMPTIONS AND EXCLUSIONS FROM RENEGOTIATION

In § 1603.348–2 paragraph (e) is added as follows:

§ 1603.348–2 *Computation of aggregate receipts and accruals.* * * *

(e) Amounts which, in accordance with the method of accounting employed by the contractor for purposes of renego-

tiation, have not been received or accrued prior to the close of the termination date but which are allocable to performance prior to the close of such date, shall be deemed to have been received or accrued on the termination date and are includible in the computation of the gross receipts or accruals referred to above for the year in which the termination date occurs. This rule will apply even though such amounts have not been received or accrued, according to the contractor's method of accounting, prior to the close of the fiscal year in which the termination date occurs. Conversely, amounts which, in accordance with the method of accounting employed by the contractor for purposes of renegotiation, have been received or accrued after the close of the termination date but which are not allocable to performance prior to the close of such date, are not includible in the computation of the gross receipts or accruals referred to above. This rule will apply even though such amounts have been received or accrued, according to the contractor's method of accounting, during the fiscal year in which the termination date occurs. [RR 348.2]

SUBPART G—TERMINATION OF RENEGOTIATION

1. Section 1603.370 is amended to read as follows:

§ 1603.370 *Scope of subpart.* This subpart establishes in accordance with the provisions of subsection (h) of the Renegotiation Act, as amended by Public Law 104, 79th Congress, approved June 30, 1945, the regulations to be prescribed by the War Contracts Board for the determination of profits reasonably allocable to performance prior to the close of the termination date set forth in subsection (h). [RR 370]

2. Section 1603.372 is amended to read as follows:

§ 1603.372 *General principles intended to be established by the regulations.* The regulations hereinafter prescribed are intended to effect two purposes; first, to define the receipts or accruals which by reason of their derivation from performance prior to the close of the termination date are subject to renegotiation, regardless of when received or accrued on the basis of the accounting method employed by the contractor in keeping his books or reporting income for tax purposes, and second, to ascertain the costs whenever paid or incurred which represent proper charges against such receipts or accruals, so that the profits reasonably allocable to such performance may be determined. Except in unusual cases these objectives will be attained by treating as allocable to performance prior to the termination date only those items of income received or accrued and those items of cost paid or incurred prior to the close of the termination date in accordance with the method of accounting consistently employed by the contractor for purposes of renegotiation. The qualifications hereinafter noted in this Subpart G will be recognized only when the renegotiating agency is satisfied that a departure from such accounting method is necessary in order properly to reflect profits allocable to performance prior to the close of the termination date. The regulations will be interpreted and applied in the light of these objectives. [RR 372]

3. Sections 1603.373, 1603.374 and 1603.375 are added as follows:

§ 1603.373 *Amounts received or accrued.* (a) If the contractor has consistently employed for purposes of renegotiation a method of accounting other than a cash receipts and disbursements method, then, except as hereinafter provided, only those amounts of income accrued prior to the close of the termination date on the basis of such accounting method will be considered as allocable to performance prior to the close of the termination date.

(b) If the contractor has consistently employed a completed contract or similar method of accounting for purposes of renegotiation (the accrual of income being deferred until completion), there will be considered as allocable to performance prior to the close of the termination date the income accrued prior to the close of the termination date on the basis of such accounting method and also that amount of the income derived from any contract or job not completed at the close of the termination date which is proportionate to the completion of such contract or job at the close of the termination date. Similarly, if the contractor accounts on the basis of percentage of completion of a contract or job and his fiscal year commences prior to and ends after the close of the termination date, there will be allocated to performance prior to the close of the termination date an amount of the income under such contract or job for such fiscal year which is proportionate to the performance under such contract or job accomplished in such fiscal year prior to the close of the termination date. The provisions of this paragraph (b) are subject to the provision of paragraph (d) of this section.

(c) If the contractor has consistently employed for purposes of renegotiation a cash receipts and disbursements method of accounting then, except as hereinafter provided, only those amounts received prior to the close of the termination date will be considered as allocable to performance prior to the close of the termination date.

(d) In an unusual case where it is clear that the objectives set forth in § 1603.372 will not be attained by adherence to the general rules hereinbefore prescribed in this section, amounts of income reasonably allocable to performance prior to the close of the termination date will be allocated thereto. For example, if a contractor employs a cash receipts and disbursements method of accounting and if his receipts prior to the close of the termination date are substantially out of proportion to his performance prior to such date, it may be necessary to allocate all or a portion of his subsequent receipts to such performance in order properly to reflect his profits derived from performance prior to the close of the termination date. In the application of the foregoing principle, costs paid or incurred which are allocable to performance prior to the close of the termination date may be indicative of the proper allocation of income to performance prior to the close of the termination date. [RR 373]

§ 1603.374 *Costs paid or incurred.* (a) In the allocation of costs pursuant to subsection (h) of the act, generally the method of accounting regularly employed by the contractor for renegotiation purposes will be followed in determining the time at which costs are paid or incurred. As a general rule, costs paid or incurred prior to the close of the termination date will be considered as allocable to performance prior to the close of the termination date and costs paid or incurred after the close of the termination date will be considered as not allocable to performance prior to the close of the termination date.

(b) However, in an unusual case where it is clear that the purposes set forth in § 1603.372 will not be achieved by adherence to the general rule prescribed in paragraph (a) of this section, costs (actual or estimated as of the time of renegotiation) which have not been paid or incurred prior to the close of the termination date may nevertheless be allocated to performance prior to the close of the termination date in accordance with the following:

(1) If the cost in question is directly related to that part of the performance of a particular contract or subcontract, the income from which is or was subject to renegotiation, the renegotiating agency will allocate all or a portion of such cost to performance prior to the close of the termination date. As a general rule, such allocation will be made by correlating the income from such contract or subcontract and the costs with respect thereto.

(2) If the cost is not directly related to performance of a particular contract or subcontract, but such cost or any portion thereof would have been allowed in renegotiation if paid or incurred prior to the close of the termination date, the renegotiating agency will allocate all or a portion of such cost to performance prior to the close of the termination date to the extent reasonably allocable to such performance. For example, if the contractor after the close of the termination date sustains a loss of the type described in § 1603.385–4, such loss, to the extent allocable to renegotiable business under § 1603.385–4, will be allocated to performance prior to the close of the termination date. The same rule will be followed with respect to costs paid or incurred in connection with the discontinuance of renegotiable business the termination of war production as described in § 1603.384–2.

(c) Items of cost which are determined to be allocable to performance prior to the close of the termination date in accordance with the foregoing rules and which have been paid or incurred prior to renegotiation will be allowed by the renegotiating agency. If, however, an item determined to be allocable in whole or in part to performance prior to the close of the termination date, has not been paid or incurred prior to renegotiation but it is reasonably anticipated that it will probably be paid or incurred, the following rules will be observed:

(1) If the determination of excessive profits is made by agreement, the renegotiating agency will allow conditionally such amount of the estimated cost as is determined to be allocable to performance prior to the close of the termination date and will include an appropriate clause in the renegotiation agreement providing for the repayment of additional excessive profits. Before making such a conditional allowance the following procedure will be complied with:

(i) The renegotiating agency will transmit to the Chairman of the Price Adjustment Board of the Department concerned a statement setting forth the approximate amount of excessive profits to be finally eliminated, the amount of the item or items in question, the pertinent facts relating to the allocability of such items to performance prior to the close of the termination date and the reasons why such allocation is necessary properly to reflect the profits allocable to such performance.

(ii) The renegotiating agency will advise the Chairman of the Price Adjustment Board of the Department concerned whether the contractor's financial condition is such that the conditional allowance may be made without jeopardy to the payment of any amounts which may become due in case the contingency does not occur.

(iii) The Chairman of the Price Adjustment Board of the Department concerned, in his discretion, may authorize the conditional allowance and the use of a special clause which may contain such provisions as the Chairman deems necessary.

(2) If the determination of excessive profits is made by unilateral order, or, if made by agreement and the use of a conditional clause is precluded by the requirements of the foregoing subparagraph, the estimated cost will not be allowed as a cost in renegotiation. However, the risk that the contractor will, after renegotiation, pay or incur such cost will in accordance with § 1604.413–2 (a) of this chapter be taken into consideration with the other risks assumed by the contractor.

(d) Notwithstanding the foregoing provisions of this section, no cost which has not been paid or incurred prior to January 1, 1947 will be allocated to performance prior to the close of the termination date. The determination as to whether a cost is paid or incurred prior to such date shall be made by reference to the method of accounting employed by the contractor for purposes of renegotiation. The time limitation specified in the first sentence of this subparagraph shall not apply to costs which are accounted for on a completed contract basis or similar method of accounting. However, the risk that the contractor will, after December 31, 1945, pay or incur a cost clearly allocable to performance prior to the close of the termination date, will in accordance with § 1604.413–2 (a) of this chapter be taken into consideration with the other risks assumed by the contractor. [RR 374]

§ 1603.375 *Fiscal year in which are placed items determined to be allocable to performance prior to close of termination date.* As a general rule, amounts of income which, on the basis of the accounting method employed by the contractor in keeping his books are received or accrued after the close of the termination date, but which, pursuant to this chapter, are allocable to performance prior to the close of the termination date will be deemed to have been received or accrued on the termination date. Likewise, costs which, on the basis of the accounting method employed by the contractor in keeping his books, are paid or incurred after the close of the termination date, but which, pursuant to this chapter, are allocable to performance prior to the close of the termination date, will ordinarily be deemed to have been paid or incurred on the termination date. The provisions of this section are not intended to supersede or modify § 1603.381–6, nor to eliminate the necessity of an allocation of the excessive profits to the taxable year or among the taxable years in which received or accrued for tax purposes where such allocation is necessary in order to establish the proper tax credit under section 3806 of the Internal Revenue Code or to establish the effect of the elimination of the excessive profits determined upon taxable income for such taxable year or years. [RR 375]

SUBPART H—COSTS ALLOCABLE AND ALLOWABLE AGAINST RENEGOTIABLE BUSINESS

1. In § 1603.383–3 paragraph (c) is amended to read as follows:

§ 1603.383–3 *Renegotiation rebate.* * * *

(c) *Procedure for obtaining renegotiation rebate.* (1) After a recomputation of the amortization deduction for any fiscal year pursuant to section 124 (d) of the Internal Revenue Code has been made in connection with the determination of the contractor's taxes for such fiscal year, a contractor may apply for a net renegotiation rebate with respect to excessive profits determined and eliminated for such fiscal year by filing a claim in the form set forth at §§ 1607.736–1 and 1607.736–2 of this chapter, together with the information and documents referred to in such form. Such form, together with such information and documents, must be filed with the War Contracts Board at the address specified in § 1607.791–5 of this chapter. A separate application must be filed with respect to each fiscal year for which the contractor claims a net renegotiation rebate.

(2) The contractor may be required to furnish such additional documents and information as the War Contracts Board (or any duly authorized representative of the War Contracts Board) may require in order to determine the amount of the net renegotiation rebate, if any, to which the contractor may be entitled.

(3) The War Contracts Board will certify to the Secretary of the Treasury, pursuant to the provisions of the First Deficiency Appropriation Act, 1945, the net renegotiation rebate to which the contractor is entitled.

2. In § 1603.384–2 paragraphs (c) and (d) (3) are amended to read as follows:

§ 1603.384–2 *Costs in connection with the discontinuance of renegotiable business.* * * *

(c) *Losses from sale, exchange or abandonment of facilities used in performing renegotiable contracts and subcontracts.* Losses from sale, exchange or abandonment of facilities used in performing renegotiable contracts and subcontracts are allocable to renegotiable business in accordance with the provisions of §§ 1603.385–4 and 1603.385–5. Notwithstanding the method of computing such losses for Federal tax purposes, (1) the costs of moving, dismantling, demolishing, protecting and storing such assets will be taken into account in determining whether losses have been sustained and in computing the amount of such losses for the purposes of renegotiation; and (2) depreciation or amortization incurred with respect to such assets during a period between the end of their use in the performance of renegotiable business and their sale or other disposal will be disregarded in computing such losses.

* * * * *

(d) *Other costs and expenses.* * * *

(3) *Depreciation and amortization.* Inasmuch as paragraph (c) of this section excludes, in computing losses, depreciation on assets used in renegotiable business sustained during the period between the end of their use in performing such business and their sale or other disposal, depreciation during this period will not be allowed as a cost of performing renegotiable business. If such assets are retained for future use in non-renegotiable business depreciation thereon will be allowed as a cost of renegotiable business to the extent otherwise properly allocable to the end of the month immediately succeeding that in which the end of their use in the performance of renegotiable business took place provided that they are not sooner devoted to civilian production. The same rule will apply to amortization of emergency facilities.

3. Section 1603.386–3 is added as follows:

§ 1603.386–3 *Interest on tax deficiencies.* Interest on deficiencies in taxes measured by income (including Federal income and excess profits taxes) is not deemed allocable in any part to renegotiable business. Accordingly, such interest is not allowable as a cost of renegotiable business, notwithstanding that such interest is a deduction in the computation of taxable income under the Internal Revenue Code. [RR 386.3]

4. Section 1603.387–1 is amended to read as follows:

§ 1603.387–1 *Allocation*—(a) *Distinction between institutional advertising and product advertising.* Advertising may generally be characterized as either institutional advertising or product advertising. For the purposes of this chapter, advertising will be deemed to be institutional advertising (i. e., advertising

designed to keep the advertiser's name and the identity of his peacetime products before the public) unless such advertising represents a specific offer of particular products for current sale.

(b) *Allocation of the costs of advertising.* The cost of product advertising is not ordinarily allocable in any amount to prime contracts. A reasonable amount of the cost of product advertising which can be demonstrated to have produced renegotiable subcontracts may be allocable to the renegotiable subcontracts resulting from such product advertising. The cost of institutional advertising should ordinarily be allocated between renegotiable and non-renegotiable business on a pro-rata basis in such manner as may be appropriate in the particular case for allocating expenses which cannot be earmarked as attributable to particular sales. However, no part of the cost of institutional advertising which is clearly designed to create or add to, rather than maintain, good will should be allocated to renegotiable business, by inclusion in the amount to be pro-rated or otherwise, unless the aggregate expenditure for the year in question for both product advertising and institutional advertising is not in excess of the average annual advertising cost during the base period. This limitation is subject to modification or adjustment in cases where comparison between the advertising expenditure for the year in question and the average annual advertising expenditure for the base period is believed unfair, as for example, where the average annual advertising expenditure during the base period is deemed inadequate by the renegotiating agency to keep the advertiser's name or the identity of its peacetime products (or products of the same type and character) before the public or to maintain good will built up over past years so that when the contractor returns to peacetime production its name and the quality of its products will be known to the public. [RR 387.1]

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PART 1604—DETERMINATION AND ELIMINATION OF EXCESSIVE PROFITS

SUBPART A—PRINCIPLES AND FACTORS IN DETERMINING EXCESSIVE PROFITS

Paragraph (a) of § 1604.413–2 is amended to read as follows:

§ 1604.413–2 *Comment.* (a) Consideration is to be given to the extent of risk assumed by the contractor; for example, possible increase in the cost of materials and wages; delays from inability to obtain materials; "cutbacks" in quantities; guarantees of quality and performance of the product; and such other risks as may be clearly determined. If excessive profits are determined by unilateral order (or by agreement where the provisions of paragraphs (c) (2) and (d) of § 1603.374 of this chapter apply) and if at the time of renegotiation the contrator has a risk that he will incur a cost which, if incurred prior to renegotiation, would have been allowed, such risk will be taken into consideration with the other risks assumed by the contractor.

PART 1607—FORMS FOR RENEGOTIATION

SUBPART A—FORMS RELATING TO IDENTIFICATION, ASSIGNMENT AND CANCELLATION OF CASES

1. Section 1607.701–8 is amended to read as follows:

§ 1607.701–8 *Contractor's tentative report.*

Budget Bureau No. 49–R236.1
Approval expires 12–31–46.

Refer to LPI_____

CONTRACTOR'S TENTATIVE REPORT
(To be filed in duplicate)

Dated:_____

From: _____
_____
_____

To: The War Contracts Price Adjustment Board.

1. We estimate that the financial results of our operations for our latest completed fiscal year (ended_____194__) were as follows:

| | |
|---|---|
| Estimated aggregate receipts or accruals | $_____ |
| Estimated total costs paid or incurred | _____ |
| Estimated profit, before Federal taxes on income and before any reserves | _____ |

2. We agree to file on or before_____ with _____ as the representative of the War Contracts Price Adjustment Board, the Standard Form of Contractor's Report in duplicate and all information and data called for by such Standard Form of Contractor's Report. We acknowledge receipt of copies of such Standard Form of Contractor's Report for our use in this connection.

3. In accordance with the provisions of clause (B) of the second sentence of subsection (c) (3) of the Renegotiation Act, it is hereby agreed that the time within which a determination of the amount, if any, of excessive profits for our latest completed fiscal year may be made by order or agreement is hereby extended to and including the expiration of two years after the filing, in accordance with the provisions of paragraph (2) hereof, of the Standard Form of Contractor's Report in duplicate and all information and data called for thereby.

_____
(Exact name of contractor—not abbreviated)

_____
(State of incorporation)

_____
(Mailing address)

By _____
(Authorized corporate officer, partner, or proprietor)

_____
(Title)

[RR 701.8]

2. Section 1607.702–1 is amended to read as follows:

§ 1607.702–1 *Letter of preliminary inquiry (For use by Assignments and Statistics Branch).*

In reply refer to: LPI No._____

WAR CONTRACTS PRICE ADJUSTMENT BOARD

3B 525 The Pentagon

Washington 25, D. C.

Gentlemen: Subsection (c) (5) (A) of the Renegotiation Act requires contractors and subcontractors who are subject to that Act to file financial statements in accordance with the regulations prescribed by the War Contracts Price Adjustment Board.

Copies of the Act and pertinent regulations are enclosed herewith, as well as the required form of statement which is known as the "Standard Form of Contractor's Report". If you are subject to renegotiation under the Act, the "Standard Form of Contractor's Report" should be filed in duplicate.

Concerns whose gross receipts and accruals (including those of all affiliates) were less than the statutory minimum, as defined in subsection (c) (6) of the Act, are not subject to it and are not required to file the "Standard Form of Contractor's Report". However, it will be helpful for the completion of the records of the Board to receive from such concerns the enclosed form entitled "Statement by Contractor, Non-Applicability of the Renegotiation Act."

Neither this communication nor your reply thereto will constitute the commencement of renegotiation proceedings. Formal renegotiation proceedings are not required of all concerns which file the "Standard Form of Contractor's Report". Upon the receipt of such a Report, a determination is made as to whether or not such proceedings appear to be appropriate. The filing of the Report has the effect of satisfying the requirements of subsection (c) (5) (A) as to mandatory filing and of starting the running of the period within which renegotiation may be commenced as provided in subsection (c) (3).

Your attention is called to the fact that, under the law, we are without authority to extend the time prescribed for filing, which is approximately ninety days after the close of the contractor's fiscal year.

MYRON F. RATCLIFFE,
*Lt. Col., A. U. S.,*
*Chief, Assignments and Statistics Branch.*

Enclosures:
- Standard Form of Contractor's Report with Instructions attached.
- Pamphlet entitled "Renegotiation".
- Excerpts from Renegotiation Regulations pertaining to filing of Mandatory Financial Statements.
- Statement by Contractor, Non-Applicability of the Renegotiation Act.
- Addresses of Price Adjustment Field Offices.

[RR 702.1]

3. Section 1607.704–3 is amended to read as follows:

§ 1607.704–3 *Form No. 13 (Request for Cancellation).*

To be submitted in triplicate

(NAME OF DEPARTMENT OR SERVICE)

_____
Date

To:
Assignments and Statistics Branch
War Contracts Price Adjustment Board
Room 3D 573, The Pentagon
Washington 25, D. C.

Subject:
Cancellation of assignment No._____
Contractor _____
Address _____
Fiscal year ended_____
or period from _____ to _____
Action taken on assignment of prior year _____

It is recommended and requested that the above assignment for renegotiation be cancelled for the reason(s) hereinafter set forth.
☐ Excessive profits within the sense of the Renegotiation Act and the principles applicable thereto have not been realized by the contractor during the said period. Data in support of this recommendation are attached hereto pursuant to provisions of § 1602.206–4.
☐ Aggregate receipts or accruals of the con-

tractor and of all persons under the control of or controlling or under common control with the contractor, under contracts with the Departments (as defined in the Renegotiation Regulations) and subcontracts thereunder, did not exceed the statutory minimum.

☐ Statement by Contractor of Non-Applicability is attached.

☐ Supporting Financial Data furnished by Contractor is attached.

The foregoing information has been obtained from the subject contractor. It has been considered and it is believed by this office to be substantially representative of the operations of the contractor for the fiscal period referred to.

☐ Aggregate receipts or accruals of the contractor and of all persons under the control of or controlling or under common control with the contractor, under contracts with the Departments (as defined in the Renegotiation Regulations) and subcontracts thereunder, did not exceed the statutory minimum. This statement is submitted by this office on its own responsibility.

☐ Contractor has not filed a mandatory financial statement in conformity with subsection (c) (5) (A) of the 1943 Act. The requirements of subsection (c) (5) (A) were called to the attention of the contractor preceding the application for cancellation. This office has no reason to believe that the contractor had renegotiable receipts or accruals in excess of the statutory minimum.

☐ (Other reasons).

The foregoing information has been considered and is believed by this office to be substantially correct.

(Name of department or service)

---

1st Ind.

To: (Department or Service)

☐ Cancellation of the assignment of the subject contractor is hereby approved.

☐ It is deemed inappropriate to cancel the subject assignment for the following reasons:

For the War Contracts Price Adjustment Board:

---

FOR MYRON F. RATCLIFFE,
*Lt. Col., A. U. S.,*
*Chief, Assignments and Statistics Branch.*

WCPAB No. 13
2/16/45

[RR 704-3]

SUBPART B—FORMS RELATING TO OPERATION OF RENEGOTIATION

1. Section 1607.723 is amended to read as follows:

§ 1607.723 *Contractor's request for renegotiation on completed contract basis.*

To ---

(Insert name of price adjustment board or section)

1. ---

(Insert correct legal name of contractor and indicate whether an individual, partnership, joint venture or corporation.)

(hereinafter referred to as "the contractor") represents as follows:

(a) that the contractor has a fiscal year ended ---- (hereinafter referred to as "said fiscal year");

(b) that all of the contractor's construction contracts with a Department as that term is construed under the Renegotiation Act of 1943 and all of the contractor's construction subcontracts under a contract with such a Department which have been completed or terminated within said fiscal year are as follows:

| *Description and date* | *Amount* |
|---|---|
| --- | --- |
| --- | --- |
| --- | --- |

2. Pursuant to subsection (c) (1) of the Renegotiation Act, the contractor hereby requests that all of the construction contracts and subcontracts described in paragraph 1 (b) above be renegotiated as a group and that the powers of the War Contracts Price Adjustment Board be exercised with respect to such group.

3. If the foregoing request is approved, the contractor hereby agrees to the following terms and conditions:

(a) The Renegotiation Act, and all regulations and interpretations made thereunder, other than those dealing with the allowance of tax credits, will be applied in all respects to the construction contracts and subcontracts described in paragraph 1 (b) above and in determining profits derived therefrom, as though the contractor had kept (its) (his) books and had filed (its) (his) Federal income tax returns with respect to such contracts and subcontracts on a completed contract basis, including the application of the $500,000 exemption set forth in subsection (c) (6) of the Renegotiation Act and the application of the $500,000 "floor" as interpreted in § 1603.348-3.

(b) With respect to any subsequent fiscal year, all of the contractor's construction contracts with a Department as that term is construed under the Renegotiation Act of 1943, and all construction subcontracts under a contract with such a Department, may at the option of the renegotiation agency be renegotiated as a group and the powers of the War Contracts Price Adjustment Board may at such option be exercised with respect to such group, and in any such renegotiation, the principles set forth in subparagraph 3 (a) above will be applied.

4. The undersigned agrees that this request, after having been delivered to the renegotiating agency, cannot be withdrawn without the written consent of the renegotiating agency.

In witness whereof, the undersigned has executed this request as of the ---- day of ---- 194--.

---

By ---

(Title of Officer)

Attest:

---

(Secretary)

(To be used if executed by a corporation)

Approved:

---

(Insert name and official title of person executing the approval in behalf of the government)

NOTE: If the contractor is a corporation, the request will be accompanied by a certified copy of the resolution of the Board of Directors authorizing the request and the agreements therein contained. If a partnership or joint venture the request will be executed by all members of the partnership or joint venture.

[RR 723]

2. In § 1607.724-1 a note is added at the end to read as follows:

§ 1607.724-1 *Instructions for preparation of construction contractors, architects and engineers information and work sheet for renegotiation.*

* * * * *

*Note on renegotiation powers of Reconstruction Finance Corporation.* Effective July 1, 1945, Defense Plant Corporation, Metals Reserve Company, Defense Supplies Corporation and Rubber Reserve Company were dissolved and their functions, powers, duties and authority transferred to Reconstruction Finance Corporation (see Public Law 169, 78th Congress, approved June 30, 1945, and §§ 1601.122-5, 1601.122-13, 1603.332-11, 1603.-503-1, and 1603.503-2). The Reconstruction Finance Corporation thereupon obtained all the powers, functions, duties and authority vested in such subsidiary corporations under the Renegotiation Act, both as to contracts previously entered into by those subsidiaries and as to contracts which the Reconstruction Finance Corporation, on and after July 1, 1945, might enter into under the authority transferred by Public Law 169, and as to subcontracts thereunder.

By reason of such Public Law 169, the term "Department" as used in the Renegotiation Act also means Reconstruction Finance Corporation as successor to Defense Plant Corporation, Metals Reserve Company, Defense Supplies Corporation and Rubber Reserve Company.

Answers supplied should include receipts and accruals under such contracts with the Reconstruction Finance Corporation, on and after July 1, 1945, and subcontracts thereunder, in addition to other information required. The answer to Section C.6 should also include the volume of receipts and accruals under such contracts with the Reconstruction Finance Corporation. The reference to a specific clause does not limit the general applicability of this Note.

3. Section 1607.725 is amended to read as follows:

§ 1607.725 *Agreement extending time for completion of renegotiation.*

---- 194--.

It is hereby stipulated and agreed by and between the United States of America and ----, a ----, with principal business office at ---- (hereinafter referred to as the "Contractor") that, in accordance with the provisions of clause (B) of the second sentence of subsection (c) (3) of the Renegotiation Act, the time within which a determination of the amount of excessive profits, if any, of the Contractor for the Contractor's fiscal year ended ---- may be made by agreement or order, is hereby extending to and including ---- 194--.

---

(Name of Contractor)

By ---

(Title)

If a corporation add (Corporate Seal)

Attest:

---

Secretary

UNITED STATES OF AMERICA,

By ---

Acting on behalf of the War Contracts Price Adjustment Board created by the Renegotiation Act, under due delegations of authority made pursuant to subsection (d) (4) of the Renegotiation Act.

[RR 725]

SUBPART D—FORMS RELATING TO AGREEMENTS AND UNILATERAL DETERMINATIONS

1. Paragraph (9) is added to § 1607.741-2 as follows:

§ 1607.741-2 *Variations in the standard form.* * * *

(9) *Article in connection with 1945 and 1946 Renegotiations under § 1603.313.* (a) Whenever renegotiation is conducted and completed for a portion of a contractor's fiscal year pursuant to the procedure authorized in § 1603.313 (e) (1), Article 1 of the Standard Form shall be made to relate to that part of the fiscal year covered by the agreement and the following contract article shall be included in the agreement.

"The Contractor agrees that in the event there is received or accrued any amount under contracts and subcontracts after the last day of the period with respect to which

the determination specified in Article 1 hereof has been made (hereinafter referred to as "said date") and on or before the last day of his fiscal year ending _____, which amount, or a portion thereof, is allocable under regulations of the War Contracts Price Adjustment Board, to performance prior to the close of the termination date as defined in subsection (h) of said Act, that

(i) Renegotiation proceedings may be conducted for the period beginning with the date following "said date" and ending with the last day of said fiscal year (hereinafter referred to as the "short period") and

(ii) In determining the applicability of the exemption contained in subsection (c) (6) of said Act and the applicability of paragraph 348.3 of the Renegotiation Regulations (relating to the "floor" provisions) for the "short period", there shall be added to the receipts or accruals under contracts and subcontracts during the "short period" (to the extent allocable to performance prior to the close of said termination date), the receipts or accruals (to the extent allocable to performance prior to the close of the said termination date) under said contracts and subcontracts during the period covered by this agreement."

(b) Whenever renegotiation is conducted and completed pursuant to the procedure authorized in § 1603.313–1 (e) (ii), Article 8 of the Standard Form shall be modified by inserting at the beginning thereof the phrase "Subject to the conditions hereinafter provided" and by inserting an additional paragraph to read as follows:

"It is agreed that the determination made in Article 1 of this agreement is made with respect to amounts (received) (accrued) under said contracts and subcontracts prior to _____ hereinafter referred to as "said date". It is also agreed that this Agreement may be reopened at the election of the Government (i) if the contractor (receives) (accrues) any amount under said contracts and subcontracts after "said date" and before the end of said fiscal year and (ii) if such amount or any portion thereof is allocable under regulations of the War Contracts Price Adjustment Board, to performance prior to the close of the termination date of the Act as defined in subsection (h) thereof; provided, however, that such election must be made by registered letter mailed within ninety (90) days from the date of filing of the information required to be filed by the Contractor under subsection (c) (5) of said Act and regulations promulgated thereunder. It is agreed that if this Agreement is reopened under this paragraph, (a) the renegotiation shall be conducted as though this Agreement had not been made and (b) the time within which renegotiation with respect to said fiscal year must be completed under subsection (c) (3) of said Act shall be and is hereby extended to and including a date which is one year from the date on which the election to reopen this Agreement is made."

(c) Whenever renegotiation is conducted and completed for a fiscal year ending after July 31, 1945, or for a part of the fiscal year which part ended after July 31, 1945, Article 8 of the Standard Form shall be modified by inserting at the beginning thereof the phrase "Subject to the conditions hereinafter "provided" and by inserting an additional paragraph set forth below.

It is agreed that there has not been included in the data upon which the determination made in Article 1 hereof is based any amounts (received) (accrued) under said contracts and subcontracts, and costs (paid) (incurred) with respect thereto, after _____ (hereinafter referred to as "said date"). It is further agreed that this Agreement may be reopened at the election of the Government or the Contractor, if the termination date of said Act, as defined in subsection (h) thereof, should be earlier than "said Date" and if the said determination was made with respect to, in whole or in part, amounts (received) (accrued) under said contracts and subcontracts, or costs (paid) (incurred) with respect thereto, which are not allocable under regulations of the War Contracts Price Adjustment Board to performance prior to the close of the said termination date. Such election must be made by registered letter mailed within ninety (90) days from the date on which the said termination date is fixed. If the Contractor makes such election, notice thereof must be given by registered letter addressed to the War Contracts Price Adjustment Board, Assignment and Statistics Branch, Washington 25, D. C. It is agreed that if this agreement is reopened under this paragraph (a) the renegotiation shall be conducted as though this Agreement had not been made and (b) the time within which renegotiation with respect to said fiscal year must be completed under subsection (c) (3) of said Act shall be and is hereby extended to and including a date which is one year from the date on which the election to reopen is made.

It will be noted that in some instances it will be necessary to include in the agreement both the article described in items (9) (b) and (9) (c) of this subparagraph.

[RR 741.2]

2. Sections 1607.746–1 through 1607.746–3 are amended to read as follows:

§ 1607.746–1 *Order under delegated authority determining excessive profits.*

ORDER UNDER DELEGATED AUTHORITY DETERMINING EXCESSIVE PROFITS

Pursuant to authority duly delegated by the War Contracts Price Adjustment Board, a renegotiation proceeding was duly commenced with _____ (hereinafter called the "Contractor") with respect to the aggregate of the amounts received or accrued by the Contractor under contracts and subcontracts subject to renegotiation under the Renegotiation Act (such contracts and subcontracts being hereinafter collectively referred to as "said contracts and subcontracts") for the Contractor's fiscal year ended _____ (hereinafter called "said fiscal year").

In connection with such renegotiation proceeding, a conference was held with the Contractor at or in connection with which there were submitted by the Contractor and obtained from governmental or other reliable sources, certain financial, operating and other data relating to the Contractor's business and the Contractor's profits derived from said contracts and subcontracts during said fiscal year. At and in connection with such conference the Contractor has been afforded full opportunity to submit such additional information and to present such contentions as the Contractor deemed material to a determination of excessive profits within the meaning of the Renegotiation Act.

In determining the excessive profits hereinafter determined, due consideration has been given to all such financial, operating and other data and information so furnished or obtained, to each of the contentions so presented, and to all of the factors referred to in subsection (a) (4) (A) of the Renegotiation Act.

As a result of such renegotiation it is hereby determined that _____ Dollars ($_____) represents the portion of the Contractor's profits derived from said contracts and subcontracts for said fiscal year, which is excessive within the meaning of the Renegotiation Act. After proper adjustment on account of taxes, other than Federal taxes, measured by income which are attributable to that portion of the Contractor's profits derived from said contracts and subcontracts for said fiscal year which is not excessive, it is hereby determined that the amount of excessive profits of the Contractor for said fiscal year which should be eliminated is _____ Dollars ($_____).

This order will be deemed the determination of the War Contracts Price Adjustment Board upon the conditions prescribed in subsection (d) (5) of the Renegotiation Act. If, and as soon as, this order shall be deemed the determination of the War Contracts Price Adjustment Board, pursuant to subsection (d) (5) of the Renegotiation Act, then _____ (or such
(Secretary of a Department)
official or officials in such Department to whom the power, function and duty of exercising such authority and carrying out such direction may be or have been delegated or successively redelegated) is hereby authorized and directed to take such action (including the authorization and direction of any other Secretary or Secretaries to take such action) under the Renegotiation Act as he deems appropriate to eliminate such excessive profits to be eliminated.

In connection with the payment or discharge by any means of such excessive profits to be eliminated, the Renegotiation Act provides that the Contractor shall be allowed the applicable credit, if any, for Federal income and excess profits taxes as provided in Section 3806 of the Internal Revenue Code.

Dated, _____

Issued and Entered on _____, 194__.

_____
Title

Acting on behalf of the War Contracts Price Adjustment Board created by the Renegotiation Act, under due delegations of authority made pursuant to subsection (d) (4) of the Renegotiation Act.

[RR 746.1]

§ 1607.746–2 *Notice of order under delegated authority determining excessive profits.*

NOTICE OF ORDER UNDER DELEGATED AUTHORITY DETERMINING EXCESSIVE PROFITS

_____, 194__.

GENTLEMEN: You are hereby notified by registered mail that pursuant to renegotiation under the Renegotiation Act, and in accordance with authority delegated by the War Contracts Price Adjustment Board, _____ acting in its behalf, issued and entered an order on _____ 1944, determining that of your profits derived from contracts and subcontracts subject to renegotiation under the Renegotiation Act for your fiscal year ended _____ Dollars ($_____) represents excessive profits which should be eliminated. A copy of such order is enclosed herewith.

As provided in the Renegotiation Act such order may, in the discretion of the War Contracts Price Adjustment Board, be reviewed by such Board upon your request or upon its own motion, but unless such review shall have been initiated within the time prescribed by the Renegotiation Act, such order shall be deemed the determination of the War Contracts Price Adjustment Board.

Yours very truly,

_____
Title

Acting on behalf of the War Contracts Price Adjustment Board created by the Renegotiation Act, under due delegations of authority made pursuant to subsection (d) (4) of the Renegotiation Act.

[RR 746.2]

§ 1607.746–3 *Notice of order having become the determination of the War Contracts Price Adjustment Board.*

NOTICE OF ORDER HAVING BECOME THE DETERMINATION OF THE WAR CONTRACTS PRICE ADJUSTMENT BOARD

_____ 194__

GENTLEMEN: You are hereby notified that no review having been initiated by the War Contracts Price Adjustment Board, either on your request or on its own motion, of the order dated, issued and entered on _____ 194__, pursuant to renegotiation under the Renegotiation Act, by _____ acting on behalf of the War Contracts Price Adjustment Board in accordance with authority delegated by it, determining that of your profits derived from contracts and subcontracts subject to renegotiation under the Renegotiation Act for your fiscal year ended _____ Dollars ($_____) represents excessive profits which should be eliminated, such order is deemed the determination of the War Contracts Price Adjustment Board.

A copy of such order is enclosed herewith.

This notice is being mailed to you by registered mail on _____.

Demand is hereby made for the payment of the amount of such excessive profits to be eliminated less the tax credit, if any, referred to in such order. Any check should be drawn to the order of the Treasurer of the United States and delivered to _____[12]

Interest will accrue at the rate of 6% per annum from and after _____ (here insert date approximately fifteen days from the date such order is deemed the determination of the War Contracts Price Adjustment Board) on any amount due under such order and unpaid.

Yours very truly,

WAR CONTRACTS PRICE ADJUSTMENT BOARD,

By _____

[2] _____

Title

Acting on behalf of the

_____

(Secretary of a Department)

[RR 746.3]

3. Sections 1607.747–1 and 1607.747–2 are amended to read as follows:

§ 1607.747–1 *Order.*

ORDER BY THE WAR CONTRACTS PRICE ADJUSTMENT BOARD AFTER REVIEW

_____ 194__

Upon review of an order issued and entered _____ 194__, by _____ acting on behalf of the War Contracts Price Adjustment Board in accordance with authority delegated by it, determining _____ Dollars ($_____) as the amount of excessive profits which should be eliminated, derived by _____ (hereinafter called the "Contractor") from contracts and subcontracts subject to renegotiation under the Renegotiation Act as defined in the Renegotiation Act, for the Contractor's fiscal year ended _____, and after taking into consideration all of the factors referred to in subsection (a) (4) (A) of the Renegotiation Act, the War Contracts Price Adjustment Board has determined that _____ Dollars. ($_____) represents the portion of the Contractor's profits derived from said contracts and subcontracts for the Contractor's fiscal year ended _____, which is excessive within the meaning of the Renegotiation Act. After proper adjustment on account of taxes, other than Federal taxes, measured by income which are attributable to that portion of the profits of the Contractor derived from said contracts and subcontracts for said fiscal year which is not excessive, the War Contracts Price Adjustment Board hereby determines that the amount of excessive profits of the Contractor for said fiscal year which should be eliminated is _____ Dollars ($_____).

This order constitutes a determination by the War Contracts Price Adjustment Board upon review as provided by subsection (d) (5) of the Renegotiation Act. The _____ (or such official or officials Secretary of a Department in such Department to whom the power, function and duty of exercising such authority and carrying out such direction may be or have been delegated or successively redelegated) is hereby authorized and directed to take such action (including the authorization and direction of any other Secretary or Secretaries to take such action) under the Renegotiation Act as he deems appropriate to eliminate such excessive profits to be eliminated.

In connection with the payment or discharge by any means of such excessive profits to be eliminated, the Renegotiation Act provides that the Contractor shall be allowed the applicable credit, if any, for Federal income and excess profits taxes as provided in Section 3806 of the Internal Revenue Code.

Dated, _____

Issued and entered on _____ 194__.

WAR CONTRACTS PRICE ADJUSTMENT BOARD,

By _____

[RR 747.1]

§ 1607.747–2 *Notice.*

NOTICE OF DETERMINATION BY ORDER ENTERED BY WAR CONTRACTS PRICE ADJUSTMENT BOARD UPON REVIEW

_____ 194__

GENTLEMEN: You are hereby notified that upon review of an order dated, issued and entered on _____ 194__, by _____ acting on behalf of the War Contracts Price Adjustment Board in accordance with authority delegated by it, pursuant to renegotiation under the Renegotiation Act, the War Contracts Price Adjustment Board has issued and entered its order determining that of your profits derived from contracts and subcontracts subject to renegotiation under the Renegotiation Act for your fiscal year ended _____ Dollars ($_____) represents excessive profits which should be eliminated.

A copy of such order is enclosed herewith.

This notice is being mailed to you by registered mail on _____.

Demand is hereby made for the payment of the amount of such excessive profits to be eliminated less the tax credit, if any, referred to in such order. Any check should be drawn to the order of the Treasurer of the United States and delivered to _____[12]

Interest will accrue at the rate of 6% per annum from and after _____ (here insert date approximately fifteen days from the date of such order) on any amount due under such order and unpaid.

Yours very truly,

WAR CONTRACTS PRICE ADJUSTMENT BOARD,

By _____

[2] _____

Title

Acting on behalf of the

_____

(Secretary of a Department)

[RR 747.2]

4. Section 1607.748–1 is amended to read as follows:

§ 1607.748–1 *Direction to a contractor to withhold.*

_____ 194__

Gentlemen: Pursuant to renegotiation under the Renegotiation Act, the War Contracts Price Adjustment Board has determined that $_____ of the profits derived by _____ from contracts and subcontracts subject to renegotiation under the Renegotiation Act for the fiscal year ended _____ are excessive profits which should be eliminated.

In accordance with the Renegotiation Act, the War Contracts Price Adjustment Board has authorized and directed the undersigned to eliminate such excessive profits. Accordingly, you are hereby directed to withhold for the account of the United States, pursuant to subsection (c) (2) of the Renegotiation Act, any and all amounts not in excess of $_____ otherwise due or which shall become due from you to said _____

This direction shall be effective immediately and shall continue in effect until further notice from the undersigned.

You are directed further to report in writing to the undersigned within fifteen days from the date hereof the amount, if any, withheld by you for the account of the United States pursuant hereto.

Yours very truly,

_____

Title

Acting on behalf of the

_____

(Secretary of a Department)

[RR 748.1]

SUBPART E—FORMS OF REPORTS

Section 1607.751–9 is amended to read as follows:

§ 1607.751–9 *Form No. WCPAB–4 (Report of Recoveries Effected by Statutory Renegotiation.)*

WCPAB–4 Departmental report of recoveries effected by statutory renegotiation.

Close of Friday

From: _____ _____
(Department)

To: War Contracts Price Adjustment Board
Attention: Assignments and Statistics Branch, WDPAB,
Statistics and Progress Section

This Department has entered into legally effective agreements and issued unilateral determinations providing for recoveries of excessive profits in the amounts stated below. The figures given are cumulative totals complete up to and including _____

Recoveries from contractors with fiscal years ending in—

| | *Unilateral Agreements* | *Determinations* |
|---|---|---|
| 1941–1942 | $_____ | $_____ |
| 1943[1] | $_____ | $_____ |
| 1944[1] | $_____ | $_____ |
| 1945[1] | $_____ | $_____ |
| 1946[1] | $_____ | $_____ |
| Total | $_____ | $_____ |

[1] After Deduction of State Taxes Determined to be Applicable to Non-Excessive Profits.

_____
(Department)

PRICE ADJUSTMENT BOARD,

By _____
(Member)

[RR 751.9]

[1] See §§ 1603.323 and 1605.502–5.

[2] Insert address within Department to which the Contractor is assigned for renegotiation.

[3] Countersignature on behalf of the Secretary of a Department to which the Contractor is assigned for renegotiation.

SUBPART I—ADDRESSES

1. In § 1607.791–2 the last address is amended to read as follows:

§ 1607.791–2 *Members.* * * *

Mr. Norman L. Burton (Civilian Production Administration), Room 4276, Social Security Building, 4th and Independence Avenue SW., Washington 25, D. C., Tel. Republic 7500, Ext. 6261.

[RR 791.2]

2. In § 1607.793–1 the address of the Chief of Ordnance is amended to read as follows:

§ 1607.793–1 *Headquarters.* * * *

The Chief of Ordnance, Attention: Lt. Col. J. A. Rice, Price Adjustment Branch, Room 4E 375, The Pentagon, Washington 25, D.C. Tel. Republic 6700. Ext. 71588.

3. Section 1607.796–1 is amended to read as follows:

§ 1607.796–1 *War Department Patent Royalty Adjustment Offices.*

Mr. John M. Firestone, Patent Royalties Administrator, Office, Director, Production and Purchases Division, Headquarters, Army Service Forces, Room 3C 548, The Pentagon, Washington 25, D. C. Tel. Republic 6700. Ext. 3052.

Chairman, Royalty Adjustment Board, Army Air Forces Matériel Command, Wright Field, Dayton, Ohio. Tel. Kenmore 7111, Ext. 25222.

[RR 796.1]

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PART 1608—TEXT OF STATUTES, ORDERS, JOINT REGULATIONS AND DIRECTIVES

SUBPART D—EXEMPTIONS

1. In paragraph (a) § 1608.841 four items are added in alphabetical order as follows:

§ 1608.841 *Raw material exemptions.* * * *

(a) * * *

Mesothorium.

Rare earth products: Didymium (neodymium) carbonate; lanthanium oxide; neodymium oxalate, rare earth chloride technical; rare earth nitrate.

Thorium nitrate.

Vermiculite ore, crude, crushed and expanded.

2. Section 1608.842–6 is added and former §§ 1608.842–6 and 1608.842–7 are redesignated §§ 1608.842–7 and 1608.842–8 respectively, and amended to read as follows:

§ 1608.842–6 *Fiscal years ending after December 31, 1944.* Pursuant to subsection (i) (4) of the Renegotiation Act of 1943 (including subsections (i) (4) (B) and (i) (4) (F)), the War Contracts Price Adjustment Board has exempted from renegotiation amounts received or accrued during fiscal years ending after December 31, 1944 under the following classes and types of contracts and subcontracts:

(a) Contracts and subcontracts with public utilities for the delivery of electric power,

(b) Contracts and subcontracts with public utilities for the delivery of gas,

(c) Contracts and subcontracts with public utilities for the furnishing of water, steam or the removal of sewage. [RR 842.6]

§ 1608.842–7 *Subcontracts.* Pursuant to subsection (i) (4) of the Renegotiation Act of 1943 (including subsections (i) (4) (B) and (i) (4) (F)) the following classes and types of contracts and subcontracts are exempt from all of the provisions of the Renegotiation Act of 1943.

(a) Subcontracts under any contracts or subcontracts exempted pursuant to §§ 1608.842–1 through 1608.842–6, inclusive. [RR 842.7]

§ 1608.842–8 *Scope of exemptions.* All of the exemptions made under §§ 1608.842–1 through 1608.842–7, inclusive, apply to contracts and subcontracts of the specified classes and types, whether heretofore or hereafter made or performed, and whether or not they contain renegotiation provisions. [RR 842.8]

3. Section 1608.845–3 is added to read as follows:

§ 1608.845–3 *Fiscal years ending after June 30, 1945.* (a) Pursuant to the authority given to the War Contracts Price Adjustment Board by subsection (i) (4) of the Renegotiation Act of 1943, the Board, under the provisions of subsection (i) (4) (D) of the 1943 Act, has exempted from renegotiation amounts received or accrued during fiscal years ending after June 30, 1945 under contracts or subcontracts for the making or furnishing of the following articles:

(a) Iron scrap and steel scrap; non-ferrous metal scrap; woolen waste, including woolen rags and clips, new and old; scrap rubber; waste paper; cotton or linen rags, including old bagging and old rope; and textile waste; sold by dealers or brokers.

(Comment: The exemption of these articles as standard commercial articles applies only to dealers and brokers in these articles and is not to be construed as affecting, in any way, users of these articles (in particular, manufacturers who use these articles), nor does it affect manufacturers who may produce and sell these articles as a by-product in the course of their operation. Neither does the exemption cover sales of these articles in any form other than as scrap or waste.)

(b) Reserved.

(c) Textile bags (made of burlap or cotton).

(d) Reserved.

(e) Paper of the following types and grades, sold by paper mills: Groundwood and free sheet uncoated and coated book papers (including but not limited to free sheet and groundwood offset, envelope and tablet papers); Mimeograph and duplicating (both groundwood and free sheet); Bond, writing and ledger, including opaque circular; Manifold and onion skin; Cover and text; Index and Bristol; Map paper (except wet-strength map paper); Post card paper; Blue print base stock.

(f) Paper and paper products sold by merchants.

(Comment: This exemption does not apply to sales of paper or paper products which have been manufactured, converted or processed by the seller or by any person under the control of or controlling or under common control with the seller.)

(g) Ready-mixed concrete.

(h) Portland cement.

(i) Reserved.

(j) Quick and hydrated lime.

(k) Dead-burned dolomite.

(l) Dead-burned magnesite made from dolomite stone, seawater or brine.

[RR 845.3]

[F. R. Doc. 45–22138; Filed, Dec. 11, 1945; 10:02 a. m.]

Chapter XVIII—Office of Stabilization Administrator, Office of War Mobilization and Reconversion

[Directive 91]

PART 4003—SUPPORT PRICES; SUBSIDIES

1945-CROP CORN LOAN

The Secretary of Agriculture has, by letter dated November 7, 1945, requested my approval of a loan program with respect to corn of the 1945 crop to be carried out by Commodity Credit Corporation. Loans would be made under the program at 90 percent of the parity price of corn as of October 1, 1945. The loan program is more fully described in the copy of memorandum from the Director of Grain Branch, Production and Marketing Administration, enclosed with the Secretary's letter.

Pursuant to the authority vested in me as Stabilization Administrator, I hereby authorize and direct the Secretary of Agriculture to carry out, through the Commodity Credit Corporation, the 1945-crop corn program described in the Secretary's letter and the memorandum enclosed therewith.

(E.O. 9250; E.O. 9328, 3 CFR, Cum. Supp.; E.O. 9599, 10 F.R. 10155; E.O. 9620, 10 F.R. 12033; and E.O. 9651, 10 F.R. 13487)

Issued and effective this 11th day of December 1945.

J. C. COLLET,
*Stabilization Administrator.*

[F. R. Doc. 45–22241; Filed, Dec. 12, 1945; 4:11 p. m.]

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## TITLE 33—NAVIGATION AND NAVIGABLE WATERS

### Chapter II—Corps of Engineers, War Department

PART 208—FLOOD CONTROL REGULATIONS

PENSACOLA DAM AND RESERVOIR, GRAND (NEOSHO) RIVER, OKLAHOMA

Pursuant to the provisions of section 7 of the act of Congress approved December 22, 1944 (58 Stat. 890; 33 U.S.C. 709), the following regulations are hereby prescribed to govern the use of flood control storage in the Pensacola Reservoir on the Grand (Neosho) River, Oklahoma, and the operation of the Pensacola Dam for flood control purposes:

§ 208.25 *Pensacola Dam and Reservoir, Grand (Neosho) River, Oklahoma.* The representative of the agency charged with the operation of the Pensacola Dam, hereinafter referred to as the Representative, shall operate the dam and reservoir in the interest of flood control as follows:

(a) Whenever the pool stage exceeds elevation 745 at the dam, the discharge facilities shall be operated under the direction of the District Engineer, Engineer Department at Large, in charge of the locality, so as to reduce as much as practicable the flood damage below the reservoir and to limit the pool stage to elevation 755 at the dam.

(b) The District Engineer will advise the Representative when inflow rates are anticipated which will raise the pool above elevation 745 at the dam. The District Engineer will also advise the Representative of essential increase in the flood control storage capacity of the reservoir which should be provided by drawing the pool down below elevation 745 at the dam in order to obtain maximum flood control benefits, with the provision that the suggested reduction in power storage shall at no time exceed the replacement volume of flow then in sight in the streams above the reservoir.

(c) The Representative shall furnish the District Engineer, daily, a report showing the elevation of the reservoir pool and the tailwater, number of gates in operation, spillway and turbine releases, evaporation, storage, reservoir inflow, and precipitation in inches as shown by Agency gages. One reading shall be shown for each day with additional readings of releases for all changes in spillway gate operation, and with readings of all items except evaporation three times daily when the District Engineer advises the Representative that flood conditions are imminent. By agreement between the Representative and the District Engineer, any of the foregoing information may be furnished by telephone and may, if agreed upon, be omitted from the report. Whenever the pool is above elevation 745 at the dam the Representative shall submit additional reports by telegraph or telephone as directed by the District Engineer, with a report to be furnished immediately whenever the pool rises above elevation 745 at the dam.

(d) The District Engineer will furnish the Representative with all available information and detailed instructions for operation of the reservoir in the interest of flood control during an emergency condition when communications between the dam and the District Office are broken. In the event that the District Engineer or his authorized representative cannot be reached by telephone, telegraph or by other means during a flood emergency, these instructions will govern. The provisions (a), (b), and (c) of this section will govern at all times except during such an emergency.

(e) Elevations herein stated are referred to Pensacola datum which is 1.07 feet below mean sea level. [Regs. 3 Dec. 1945 (CE 461 (Pensacola Dam and Reservoir, Grand (Neosho) River, Oklahoma) SPEWF)]

[SEAL] EDWARD F. WITSELL,
*Major General,*
*Acting The Adjutant General.*

[F. R. Doc. 45-22246; Filed, Dec. 12, 1945; 4:34 p. m.]

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PART 208—FLOOD CONTROL REGULATIONS

ALPINE DAM, KEITH CREEK, ROCKFORD, WINNEBAGO CO., ILLINOIS

Pursuant to the provisions of Section 7 of the Act of Congress approved December 22, 1944, (58 Stat. 890; 33 U.S.C. 709), the following regulations are hereby prescribed to govern the use of storage in the Alpine Dam on Keith Creek in Winnebago County, Illinois, and the operation of Alpine Dam for flood control purposes.

§ 208.30 *Alpine Dam, Keith Creek, Rockford, Winnebago Co., Illinois.* The City of Rockford, Winnebago County, Illinois, shall operate the Alpine Dam and Reservoir in the interest of flood control as follows:

(a) The opening at all times for the 5-ft. by 7-ft. controlled conduit shall be one foot except as directed in paragraph (b) following.

(b) After storage of flood runoff has occurred and the peak flow from the unreservoired area below the dam has passed through the City of Rockford, the gate of the control conduit shall be opened sufficiently to drain the reservoir as rapidly as possible without exceeding the channel capacity of Keith Creek through the City of Rockford.

(c) When the runoff impounded in the reservoir has been released the gate opening of the 5-ft. by 7-ft. control conduit shall be set at the established opening of one foot. [Regs. 3 Dec. 1945 (CE 461 (Alpine Dam, Keith Creek, Rockford, Winnebago Co., Illinois)—SPEWF)]

[SEAL] EDWARD F. WITSELL,
*Major General,*
*Acting The Adjutant General.*

[F. R. Doc. 45-22247; Filed, Dec. 12, 1945; 4:34 p. m.]

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## TITLE 47—TELECOMMUNICATION

### Chapter I—Federal Communications Commission

PART 6—RULES GOVERNING FIXED PUBLIC RADIO SERVICES

SPECIAL TEMPORARY AUTHORIZATION

The Commission on December 5, 1945, adopted paragraph (e) of § 6.28 *Special temporary authorization*, effective January 1, 1946, which reads:

(e) Where authority is requested to communicate with a new foreign or overseas point, a statement describing the proposed contract, agreement or other arrangement to be made with any foreign administration or carrier, governing the operation of the proposed circuit, together with copies of any documents constituting such proposed contract, agreement or arrangement; and where extension is requested of existing authority to operate a circuit, a statement describing any modification in the contract, agreement or arrangement governing the operation of the circuit, made since the filing of the last preceding application for the authority sought to be extended, together with copies of any documents constituting such modification: *Provided, however,* That if copies of a proposed contract, agreement, arrangement or modification thereof have already been filed under Section 43.55 of the Commission's Rules and Regulations, reference to such prior filing may be made in lieu of refiling such documents hereunder.

(Sec. 4 (i), 48 Stat. 1066; sec. 303 (r), 60 Stat. 191; 47 U.S.C. 154 (i), 303 (r))

By the Commission.

[SEAL] T. J. SLOWIE,
*Secretary.*

[F. R. Doc. 45-22250; Filed, Dec. 13, 1945; 10:09 a. m.]

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PART 10—RULES GOVERNING EMERGENCY RADIO SERVICES

AMPLITUDE MODULATION

The Commission on December 5, 1945, effective immediately, amended § 10.61 *Amplitude modulation*, which reads:

§ 10.61 *Amplitude modulation*—(a) *Tolerance.*[1] The frequency tolerance for stations employing amplitude modulation in the emergency radio services shall be as follows:

| Frequency | Type of station | Percent |
|---|---|---|
| Below 30,000 kc. | Fixed stations | 0.01 |
| | Land stations | .02 |
| | Portable and mobile stations | .02 |
| Above 30,000 kc. | Fixed and land stations | .02 |
| | Portable and mobile stations | .03 |
| | Portable and mobile stations of 1 watt power or less | .1 |

(Secs. 4 (i), 303 (e), 303 (f), 48 Stat. 1066, 1082; 47 U.S.C. 154 (i), 303 (e), 303 (f))

By the Commission.

[SEAL] T. J. SLOWIE,
*Secretary.*

[F. R. Doc. 45-22249; Filed, Dec. 13, 1945; 10:09 a. m.]

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PART 11—RULES GOVERNING MISCELLANEOUS RADIO SERVICES

AMPLITUDE MODULATION

The Commission on December 5, 1945, effective, immediately, amended § 11.51 *Amplitude modulation*, which reads:

§ 11.51 *Amplitude modulation—Tolerance.*[2] The frequency tolerance for stations employing amplitude modulation in the miscellaneous radio services shall be as follows:

| Frequency | Type of station | Percent |
|---|---|---|
| Below 30,000 kc. | Fixed stations | 0.01 |
| | Land stations | .02 |
| | Portable and mobile stations | .02 |
| Above 30,000 kc. | Fixed and land stations | .02 |
| | Portable and mobile stations | .03 |
| | Portable and mobile stations of 1 watt power or less | .1 |

[1] For additional information on frequency tolerance, see Appendix A of Part 2—General Rules and Regulations or Appendix 1 of the General Radio Regulations (Cairo Revision, 1938) annexed to the International Telecommunication Convention of Madrid, 1932.

[2] See Appendix A of Part 2—General Rules and Regulations.

(Secs. 4 (i), 303 (e), 303 (f), 48 Stat. 1068, 1082; 47 U.S.C. 154 (i), 303 (e), 303 (f))

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 45-22252; Filed, Dec. 13, 1945; 10:00 a. m.]

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PART 43—REPORTS (RULES GOVERNING THE FILING OF INFORMATION, CONTRACTS, PERIODIC REPORTS, ETC.)

NEGOTIATIONS WITH FOREIGN ADMINISTRATIONS OR COMPANIES

The Commission on December 5, 1945, amended § 43.55 *Negotiations with foreign administrations or companies,* effective January 1, 1946, which reads:

§ 43.55 *Negotiations with foreign administrations or companies.* Beginning on January 10, 1946, and on the tenth day of each month thereafter, each carrier engaging or participating in foreign telegraph or telephone communication shall file with the Commission, in duplicate, a statement arranged separately by countries, and verified by a responsible official of the carrier, of all negotiations, written or oral, initiated or conducted during the preceding calendar month, with any foreign administration, agency or carrier, for the establishment of a circuit between the United States and any foreign or overseas point or for any new foreign traffic contract, agreement, concession, license or authorization, or any change or modification in any existing foreign traffic contract, agreement, concession, license or authorization, relating to traffic affected by the provisions of the Communications Act of 1934, as amended. If in the case of any particular country, no such negotiations have been initiated or conducted during the month covered by the statement, such statement shall so specify; *Provided, however,* That no filing need be made under this rule with respect to negotiations for arrangements of a temporary nature, relating to the emergency routing of traffic.

(Sec. 4 (i), 48 Stat. 1068; sec. 303 (r), 50 Stat. 191; 47 U.S.C. 154 (i), 303 (r))

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 45-22251; Filed, Dec. 13, 1945; 10:00 a. m.]

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## TITLE 49—TRANSPORTATION AND RAILROADS

### Chapter I—Interstate Commerce Commission

[S. O. 369, Amdt. 1]

PART 95—CAR SERVICE

DEMURRAGE CHARGES ON CLOSED BOX CARS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 11th day of December A. D. 1945.

Upon further consideration of Service Order No. 369 (10 F.R. 14030), and good cause appearing therefor: *It is ordered,* That:

Service Order No. 369 be, and it is hereby, amended by substituting the following paragraph (c) for paragraph (c) thereof:

(c) *Expiration date.* This order shall expire at 7:00 a. m., January 15, 1946, unless otherwise modified, changed, suspended or annulled by order of this Commission. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17))

*It is further ordered,* That this amendment shall become effective at 7:00 a. m., December 15, 1945; that a copy of this order and direction shall be served upon each State Commission and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 45-22329; Filed, Dec. 13, 1945; 11:50 a. m.]

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## *Notices*

### DEPARTMENT OF STATE.

[Gen. License 1]

TRANSPORTATION OF CERTAIN ALIENS

Pursuant to Executive Order 2729-A, promulgated by the President on October 12, 1917 under section 3 (b) of the Trading with the Enemy Act of October 6, 1917 (40 Stat. 412), the Secretary of State hereby revokes General License 1 of July 8, 1942 (7 F.R. 5368) and issues in lieu hereof the following revised General License 1.

SECTION 1. *Definitions.* For the purpose of this general license:

(a) The term "United States", as used herein, shall be deemed to mean all land and water, continental or insular, in any way within the jurisdiction of the United States or occupied by the military or naval forces thereof.

(b) The term "permit to depart" means a copy of the application for a permit to depart (form AD-1) duly executed by an alien, approved and appropriately endorsed by the Secretary of State as provided in the regulations issued by the Secretary of State, with the concurrence of the Attorney General, on November 19, 1941 (10 F.R. 5898), pursuant to Proclamation 2523, promulgated by the President on November 14, 1941 (6 F.R. 5821; 3 CFR, Cum. Supp.), under the provisions of the act of May 22, 1918 (40 Stat. 559) as amended by the act of June 21, 1941 (55 Stat. 252).

(c) The term "permit to enter" is defined in the regulations issued by the Secretary of State, with the concurrence of the Attorney General, on November 19, 1941 (10 F.R. 8997), in accordance with Proclamation 2523 promulgated by the President on November 14, 1941 (6 F.R. 5821; 3 CFR, Cum. Supp.), under the act of May 22, 1918 (40 Stat. 559) as amended by the act of June 21, 1941 (55 Stat. 252).

SEC. 2. *General license granted.* A general license is hereby granted, authorizing for the purpose of section 3 (b) of the Trading With the Enemy Act:

(a) The transportation of any citizen or subject of an enemy nation or ally-of-an-enemy nation, from any point within the United States to any point outside the United States: *Provided,* That such citizen or subject has a valid permit to depart, a valid exit visa, a valid border-crossing identification card issued on or after December 7, 1941, or a valid re-entry permit issued with the concurrence of the Secretary of State as to destination, or that he is exempted under § 58.23 of Title 22 of the regulations (10 F.R. 5896), and any amendments thereof, from the necessity of obtaining a permit to depart: *Provided further, however,* That if such citizen or subject obtains a permit to depart, an exit visa, a border-crossing identification card, or a re-entry permit, the license hereby granted shall extend only to transportation to the destination for which such documents were granted, or the destination specified therein.

(b) The transportation of any citizen or subject of an enemy nation or ally-of-an-enemy nation, who has a valid permit to enter the United States issued on or after December 7, 1941, or who is exempted under § 58.44 or § 58.45 of Title 22 of the regulations (10 F.R. 8997), or any amendments thereof, from the necessity of obtaining a permit to enter: *Provided,* That such transportation shall be from a point outside the United States to a point in the United States in the ordinary course of the alien's journey, and shall not include travel over, to, or through the Panama Canal Zone, or over, to, or through any restricted military or naval area, unless permission to travel through the Panama Canal Zone or other such restricted military or naval area shall have been procured from the appropriate authorities of the United States.

(c) The transportation within the United States of any citizen or subject of an enemy nation or ally-of-an-enemy nation, whose transportation has been authorized by the Attorney General or by the Secretary of War under Proclamations 2525 (6 F.R. 6321), 2526 (6 F.R. 6323), and 2527 (6 F.R. 6324), (3 CFR, Cum. Supp.), and rules and regulations thereunder.

(d) The transportation of any citizen or subject of an enemy nation or ally-of-an-enemy nation, except a Japanese person who is a citizen or subject of an enemy nation or ally-of-an-enemy nation, from one point outside of the United States to another point outside of the United States: *Provided,* That such transportation shall be entirely outside of the United States but may include travel over, to, or through the Panama Canal Zone, or over, to, or through any restricted military or naval area, if permission to travel through the Panama Canal Zone or other such restricted mili-

tary or naval area shall have been procured from the appropriate authorities of the United States: *Provided further,* That the principal diplomatic or consular officer of the United States at or nearest the intended originating transportation point is satisfied, after such investigation as he may deem to be appropriate, that such transportation is not dangerous to the peace and safety of the United States or prejudicial to the defense of the Western Hemisphere.

SEC. 3. *Reservation of the power to withdraw the general license.* This general license, or any portion thereof, may be withdrawn with reference to the transportation of any citizen or subject of an enemy nation or ally-of-an-enemy nation, or any class thereof, by order of the Secretary of State, and nothing in this notice shall be construed as exempting any alien from the necessity of complying with any other laws, regulations, or requirements relating to travel to, from, or within the United States.

[SEAL] JAMES F. BYRNES,
*Secretary of State.*

DECEMBER 11, 1945.

[F. R. Doc. 45-22239; Filed, Dec. 12, 1945; 12:22 p. m.]

## DEPARTMENT OF AGRICULTURE.

### Production and Marketing Administration.

SIEGFRIED AND CO.

DESIGNATION AS QUALIFIED DISTRIBUTOR OF TEA

The designation of qualified distributors of tea pursuant to War Food Order No. 21, as amended (8 F.R. 2077; 9 F.R. 150, 1084, 4321, 4319, 9584; 10 F.R. 103), issued by the Director of Food Distribution on February 5, 1944 (9 F.R. 1561), as amended, is further amended by adding the following name and address to the list of persons designated therein as qualified distributors:

Siegfried and Company, 850 Mendocino Avenue, Berkeley, California.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; E.O. 9577, 10 F.R. 8087; WFO 21, 8 F.R. 2077; 9 F.R. 150, 1084, 4321, 4319, 9584; 10 F.R. 103)

Issued this 12th day of December 1945.

[SEAL] C. W. KITCHEN,
*Assistant Administrator.*

[F. R. Doc. 45-22328; Filed, Dec. 13, 1945; 11:19 a. m.]

## DEPARTMENT OF LABOR.

### Office of the Secretary.

[WLD 146]

SOUTHEASTERN PIPE LINE CO.

FINDING AS TO CONTRACT IN PROSECUTION OF WAR

In the matter of Southeastern Pipe Line Company, Atlanta, Georgia; Case No. S-3938.

Pursuant to section 2 (b) (3) of the War Labor Disputes Act (Pub. No. 89, 78th Cong., 1st sess.) and the Directive of the President dated August 10, 1943, published in the FEDERAL REGISTER August 14, 1943, and

Having been advised of the existence of a labor dispute involving Southeastern Pipe Line Company, Atlanta, Georgia.

I find that the pipe line transportation of gasoline and kerosene by Southeastern Pipe Line Company, Atlanta, Georgia, pursuant to contracts with concerns engaged in the refining or manufacturing of petroleum products is contracted for in the prosecution of the war within the meaning of section 2 (b) (3) of the War Labor Disputes Act.

Signed at Washington, D. C. this 11th day of December 1945.

L. B. SCHWELLENBACH,
*Secretary of Labor.*

[F. R. Doc. 45-22258; Filed, Dec. 13, 1945; 11:08 a. m.]

[WLD 148]

WITTICHEN TRANSFER AND WAREHOUSE CO.

FINDING AS TO CONTRACT IN PROSECUTION OF WAR

In the matter of Wittichen Transfer and Warehouse Company, Birmingham, Alabama. Case No. S-4212.

Pursuant to section 2 (b) (3) of the War Labor Disputes Act (Pub. No. 89, 78th Cong., 1st sess.) and the Directive of the President dated August 10, 1943, published in the FEDERAL REGISTER August 14, 1943, and

Having been advised of the existence of a labor dispute involving the Wittichen Transfer and Warehouse Company, Birmingham, Alabama,

I find that motor transportation and storage activities of Wittichen Transfer and Warehouse Company, Birmingham, Alabama, pursuant to contracts with agencies of the Federal government and concerns engaged in the manufacture or production of petroleum products, electrical equipment and commodities, are contracted for in the prosecution of the war within the meaning of section 2 (b) (3) of the War Labor Disputes Act.

Signed at Washington, D. C. this 11th day of December 1945.

L. B. SCHWELLENBACH,
*Secretary of Labor.*

[F. R. Doc. 45-22257; Filed, Dec. 13, 1945; 11:08 a. m.]

### Wage and Hour Division.

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rate applicable under section 6 of the act have been issued to the firms hereinafter mentioned under section 14 of the act, Part 522 of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4725), and the determinations, orders and/or regulations hereinafter mentioned. The names and addresses of the firms to which certificates were issued, industry, products, number of learners, and effective and expiration dates of the certificates are as follows:

*Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Eatwear, Robes and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations,* July 20, 1942 (7 F.R. 4721), as amended by Administrative Order March 13, 1943 (8 F.R. 3079), and Administrative Order, June 7, 1943 (8 F.R. 7830).

Kinston Shirt Company, King Street, Kinston, North Carolina; Dress shirts, collars, sleeping wear and men's shirts; ten percent (T); effective from December 8, 1945 and expiring December 7, 1946.

Mt. Holly Dress Company, Murrell & Paxton Streets, Mt. Holly, New Jersey; Dresses; three learners (T); effective from December 6, 1945 and expiring December 5, 1946.

*Independent Telephone Learner Regulations,* July 17, 1944, (9 F.R. 7125)

Citizens Telephone Company, 2007 Main Street, Higginsville, Missouri; (T); effective from December 4, 1945 and expiring December 3, 1946.

The employment of learners under these certificates is limited to the terms and conditions therein contained and is subject to the provisions of the applicable determinations, orders and/or regulations cited above. These certificates have been issued upon the employers' representations that experienced workers for the learner occupations are not available for employment and that they are actually in need of learners at subminimum rates in order to prevent curtailment of opportunities for employment. The certificates may be cancelled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within fifteen days after publication of this notice in the FEDERAL REGISTER pursuant to the provisions of Regulations, Part 522.

Signed at New York, New York, this 6th day of December 1945.

PAULINE C. GILBERT,
*Authorized Representative of the Administrator.*

[F. R. Doc. 45-22245; Filed, Dec. 12, 1945; 4:34 p. m.]

## FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 7013]

SHERWOOD B. BRUNTON ET AL.

NOTICE OF HEARING

In re application of Sherwood B. Brunton, Mott Q. Brunton and Ralph R. Brunton as Individuals and Trustees and C. L. McCarthy, Transferors, Columbia Broadcasting System, Inc., Transferee; date filed, June 27, 1945, for transfer of control of licensee corporation (Pacific Agricultural Foundation, Ltd., Licensee of Radio

Station KQW); class of service, broadcast; class of station, broadcast; location, San Jose, California; operating assignment specified: frequency, 740 kc; power, 5 kw direct antenna; hours of operation, unlimited. File No. B5-TC-455.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing on the following issues:

1. To determine whether the purchase price proposed to be paid by the transferee for Station KQW will adversely affect its ability to operate in the public interest.

2. To obtain full information concerning the type of program service which transferee proposes to render.

3. To obtain full information concerning the need of and reasons for the proposed acquisition of Station KQW by transferee.

4. To determine whether a grant of the application will be in violation of § 3.106 of the Commission's rules and regulations.

5. To determine whether an additional station should be licensed to the transferee.

6. To determine what effect a grant of the application will have upon competition in chain broadcasting in other broadcast service.

The applicants are hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicants herein who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

Addresses of the transferors, transferee and licensee are as follows:

Ralph R. Brunton et al., 140 Jessie Street, San Francisco 5, Calif.

Columbia Broadcasting System, Inc., 485 Madison Avenue, New York 22, N. Y.

Pacific Agricultural Foundation; Ltd., Radio Station KQW, Palace Hotel, San Francisco, Calif.

Dated at Washington, D. C., December 5, 1945.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 45-22253; Filed, Dec. 13, 1945; 10:00 a. m.]

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[Docket No. 7013]

SHERWOOD B. BRUNTON ET AL.

ORDER SCHEDULING HEARING

Sherwood B. Brunton, et al., transferors; Columbia Broadcasting System, Inc., transferee; Pacific Agricultural Foundation, Ltd., licensee; KQW, San Jose, California.

The Commission having under consideration the petition filed by the transferor and transferee in the above-entitled cause requesting an early hearing date and that the hearing, if possible, be conducted before the Commission en banc or Committee thereof;

*It is ordered,* This 5th day of December, 1945, that the petition be granted and that the hearing be held before a Committee of the Commission, consisting of Commissioners Durr, Jett, Denny and Wills beginning December 17, 1945, at 10:00 a. m.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 45-22254; Filed, Dec. 13, 1945; 10:00 a. m.]

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## INTERSTATE COMMERCE COMMISSION.

[S. O. 368, Amended Special Permit 2]

UNLOADING OF BOX CARS AT WASHINGTON, D. C.

Pursuant to the authority vested in me by paragraph (c) of the first ordering paragraph of Service Order No. 368 (10 F. R. 14030), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 368 insofar as it applies at Washington, D. C.

This special permit shall expire at 11:59 p. m., December 16, 1945.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 6th day of December 1945.

V. C. CLINGER, *Director, Bureau of Service.*

[F. R. Doc. 45-22337; Filed, Dec. 13, 1945; 11:50 a. m.]

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[S. O. 399]

UNLOADING OF COMMODITIES AT SHREVEPORT, LA.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 11th day of December A. D. 1945.

It appearing, that numerous cars containing various commodities at Shreveport, Louisiana, on the Texas and Pacific Railway Company, have been on hand for an unreasonable length of time and that the delay in unloading said cars is impeding their use; in the opinion of the Commission an emergency exists requiring immediate action; it is ordered, that:

*Various commodities at Shreveport, Louisiana, be unloaded.* (a) The Texas and Pacific Railway Company, its agents or employees, shall load forthwith the following cars now on hand at Shreveport, Louisiana, consigned to Libby-Owens-Ford Glass Company:

| Initial and number: | *Contents* |
|---|---|
| ATSF 140797 | Lime. |
| CCCStL 48699 | Lumber. |
| MILW 717150 | Lime. |
| SAL 15264 | Sand. |
| NYC 131726 | Sand. |
| B&O 466087 | Sash. |
| SOU 21756 | Lumber. |
| UP 188140 | Salt. |
| UP 350422 | Sand. |
| MKT 80270 | Sand. |
| WAB 85117 | Lime. |
| MILW 204787 | Lumber. |
| OSL 300828 | Lime. |
| PRR 43139 | Nails. |
| IC 28574 | Boxes. |
| PE 10381 | Wall board. |
| MKT 79048 | Sand. |
| CBQ 119747 | Sand. |
| DRGW 66391 | Brick. |
| PRR 36470 | Lumber. |
| ATSF 139557 | Lime. |
| NYC 101054 | Sand. |
| B&O 176756 | Brick. |
| SAL 12614 | Lumber. |
| CN 479503 | Paper. |
| NP 20246 | Lime. |
| PRR 503723 | Lumber. |

(b) *Notice and expiration.* Said carrier shall notify the Director of the Bureau of Service, Interstate Commerce Commission, Washington, D. C., when it has completed the unloading required by paragraph (a) hereof, and such notice shall specify when, where and by whom such unloading was performed. Upon receipt of that notice this order shall expire. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901, 911; 49 U.S.C. 1 (10)-(17), 15 (2))

It is further ordered, That this order shall become effective immediately; that a copy of this order and direction shall be served upon the Texas and Pacific Railway Company, and upon the Association of American Railroads, Car Service Division, as Agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission, at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 45-22330; Filed, Dec. 13, 1945; 11:50 a. m.]

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[S. O. 400]

UNLOADING OF COMMODITIES AT CRYSTAL CITY, MO.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 11th day of December, A. D. 1945.

It appearing, that numerous cars containing various articles at Crystal City, Missouri, on the Missouri-Illinois Railroad Company, have been on hand for an unreasonable length of time and that the delay in unloading said cars is impeding their use; in the opinion of the Commission an emergency exists requiring immediate action, it is ordered, that:

*Various commodities at Crystal City, Missouri, be unloaded.*—(a) The Missouri-Illinois Railroad Company, its agents or employees, shall unload forthwith the following cars now on hand at Crystal City, Missouri, consigned to Pittsburgh Plate Glass Company:

| Initial and number: | Contents |
|---|---|
| NYC 105513 | Lumber. |
| ATSF 137346 | Fluxing. |
| PRR 95832 | Limestone. |
| MP 48596 | Limestone. |
| Erie 93766 | Stools. |
| B&S 801 | Coal. |
| ACL 93014 | Coal. |
| PM 18667 | Coal. |
| TNO 58102 | Cement. |
| IC 14725 | Stone. |
| NP 8139 | Lumber. |
| NYC 191320 | Fluxing. |
| NOTM 2674 | Limestone. |
| PRR 570285 | Salt cake. |
| NSS 1101 | Coal. |
| SP 15323 | Stone. |
| ACL 92480 | Coal. |
| PRR 76704 | Stone. |
| UP 191792 | Sulphur. |
| Rdg 29631 | Machy. |

(b) *Notice and expiration.* Said carrier shall notify the Director of the Bureau of Service, Interstate Commerce Commission, Washington, D. C., when it has completed the unloading required by paragraph (a) hereof, and such notice shall specify when, where and by whom such unloading was performed. Upon receipt of that notice this order shall expire. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901, 911; 49 U. S. C. 1 (10)–(17), 15 (2))

It is further ordered, that this order shall become effective immediately; that a copy of this order and direction shall be served upon the Missouri-Illinois Railroad Company, and upon the Association of American Railroads, Car Service Division, as Agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission, at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 45-22331; Filed, Dec. 13, 1945; 11:50 a. m.]

[S. O. 401]

UNLOADING OF COMMODITIES AT CRYSTAL CITY, MO.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 11th day of December A. D. 1945.

It appearing, That numerous cars containing various articles at Crystal City, Missouri, on the St. Louis-San Francisco Railway Company (J. M. Kurn, Trustee), have been on hand for an unreasonable length of time and that the delay in unloading said cars is impeding their use; in the opinion of the Commission an emergency exists requiring immediate action: it is ordered, that:

*Various Commodities at Crystal City, Missouri, be unloaded.* (a) The St. Louis-San Francisco Railway Company (J. M. Kurn, Trustee), its agents or employees, shall unload forthwith the following cars now on hand at Crystal City, Missouri, consigned to Pittsburg Plate Glass Company:

| Initial and number: | Contents |
|---|---|
| NJI&I 78071 | Lumber. |
| IC 41155 | Lumber. |
| MKT 77765 | Gypsum. |
| CBQ 35382 | Boxes. |
| SLSF 162383 | Gypsum. |
| CN 511223 | Lumber. |
| PRR 334241 | Machy. |

(b) *Notice and expiration.* Said carrier shall notify the Director of the Bureau of Service, Interstate Commerce Commission, Washington, D. C., when it has completed the unloading required by paragraph (a) hereof, and such notice shall specify when, where and by whom such unloading was performed. Upon receipt of that notice this order shall expire. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901, 911; 49 U.S.C. 1 (10)–(17), 15 (2))

It is further ordered, that this order shall become effective immediately; that a copy of this order and direction shall be served upon the St. Louis-San Francisco Railway Company (J. M. Kurn, Trustee), and upon the Association of American Railroads, Car Service Division, as Agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission, at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 45-22332; Filed, Dec. 13, 1945; 11:50 a. m.]

[S. O. 402]

UNLOADING OF LUMBER AT SAVANNAH, GA.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 11th day of December, A. D. 1945.

It appearing, that numerous cars containing lumber at Savannah, Georgia, on the Atlantic Coast Line Railroad Company, have been on hand for an unreasonable length of time and that the delay in unloading said cars is impeding their use; in the opinion of the Commission an emergency exists requiring immediate action; it is ordered, that:

*Lumber at Savannah, Georgia, be unloaded.* (a) The Atlantic Coast Line Railroad Company, its agents or employees, shall unload forthwith the following cars of lumber now on hand at Savannah, Georgia:

Consigned to British Ministry War Transport:

| Initial and number: | Contents |
|---|---|
| C of Ga 50392 | Lumber. |
| RF&P 2624 | Lumber. |
| SOU 340122 | Lumber. |
| UP 351214 | Lumber. |
| WM 27894 | Lumber. |
| MP 46503 | Lumber. |
| CNW 40574 | Lumber. |

Consigned to Warsaw Lumber Company:

| Initial and number: | Contents |
|---|---|
| Erie 77018 | Lumber. |
| N&W 51431 | Lumber. |

(b) *Notice and expiration.* Said carrier shall notify the Director of the Bureau of Service, Interstate Commerce Commission, Washington, D. C., when it has completed the unloading required by paragraph (a) hereof, and such notice shall specify when, where and by whom such unloading was performed. Upon receipt of that notice this order shall expire. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901, 911; 49 U.S.C. 1 (10)–(17), 15 (2))

It is further ordered, that this order shall become effective immediately; that a copy of this order and direction shall be served upon the Atlantic Coast Line Railroad Company, and upon the Association of American Railroads, Car Service Division, as Agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission, at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 45-22333; Filed, Dec. 13, 1945; 11:50 a. m.]

[S. O. 403]

UNLOADING OF COTTON AT LOS ANGELES, CALIF.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 11th day of December, A. D. 1945.

It appearing, that numerous cars containing cotton at Los Angeles, California, on the Harbor Belt Line Railroad which constitutes the operating agency of The Atchison, Topeka and Santa Fe Railway Company, Pacific Electric Railway Company, Southern Pacific Company and Union Pacific Railroad Company conducting joint freight terminal operations at Los Angeles Harbor, California, have been on hand for an unreasonable length of time and that the delay in unloading said cars is impeding their use; in the opinion of the Commission an emergency exists requiring immediate action: it is ordered, that:

*Cotton at Los Angeles, California, be unloaded.* (a) The Atchison, Topeka, and Santa Fe Railway Company, Pacific Electric Railway Company, Southern Pacific Company, Union Pacific Railroad Company, their operating agency the Harbor Belt Line Railroad or their agents or employees, shall unload forthwith NYC 200331, NYC 155602 and IC 16148, containing cotton now on hand at Los Angeles, California, consigned to the Isthmian Line for export.

(b) *Notice and expiration.* Said carrier shall notify the Director of the Bureau of Service, Interstate Commerce Commission, Washington, D. C., when it

has completed the unloading required by paragraph (a) hereof, and such notice shall specify when, where and by whom such unloading was performed. Upon receipt of that notice this order shall expire. (40 Stat. 101, sec. 402; 41 Stat. 476, sec. 4; 54 Stat. 901, 911; 49 U.S.C. 1 (10)–(17), 15 (2))

It is further ordered, that this order shall become effective immediately, and that a copy of this order and direction shall be served upon The Atchison, Topeka and Santa Fe Railway Company, Pacific Electric Railway Company, Southern Pacific Company, Union Pacific Railroad Company, the Harbor Belt Line Railroad, and upon the Association of American Railroads, Car Service Division, as Agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission, at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 45-22334; Filed, Dec. 13, 1945; 11:50 a. m.]

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[S. O. 404]

UNLOADING OF COAL AT PORT COVINGTON (BALTIMORE), MD.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 12th day of December A. D. 1945.

It appearing, that B&M 8979 containing coal at Baltimore, Maryland, on the Western Maryland Railway Company, has been on hand for an unreasonable length of time and that the delay in unloading said car is impeding its use; in the opinion of the Commission an emergency exists requiring immediate action: it is ordered, that:

*Coal at Port Covington (Baltimore) Maryland, be unloaded.* (a) The Western Maryland Railway Company, its agents or employees, shall unload forthwith B&M 8979 containing coal now on hand at Port Covington, (Baltimore) Maryland, shipped by Atlas Engineering Company.

(b) *Notice and expiration.* Said carrier shall notify the Director of the Bureau of Service, Interstate Commerce Commission, Washington, D. C., when it has completed the unloading required by paragraph (a) hereof, and such notice shall specify when, where and by whom such unloading was performed. Upon receipt of that notice this order shall expire. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901, 911; 49 U.S.C. 1 (10)–(17), 15 (2))

It is further ordered, that this order shall become effective immediately; that a copy of this order and direction shall be served upon The Western Maryland Railway Company, and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission, at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 45-22335; Filed, Dec. 13, 1945; 11:50 a. m.]

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[S. O. 405]

UNLOADING OF COMMODITIES AT LOS ANGELES, CALIF.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 12th day of December, A. D. 1945.

It appearing, that numerous cars containing various commodities at Los Angeles, California, on the Southern Pacific Company have been on hand for an unreasonable length of time and that the delay in unloading said cars is impeding their use; in the opinion of the Commission an emergency exists requiring immediate action, it is ordered, that:

*Commodities at Los Angeles, California, be unloaded.* (a) The Southern Pacific Company, its agents or employees, shall unload forthwith the following cars loaded with various commodities now on hand at Los Angeles, California, consigned to General Motors:

| | | |
|---|---|---|
| SFE 91205 | SP 64534 | SFE 149005 |
| PRR 57896 | SP 64719 | MOP 41729 |
| SP 35018 | SP 64724 | NYC 161461 |
| DRG 68227 | SP 64531 | SP 28534 |
| SP 64827 | UP 454441 | SP 31614 |
| SFE 5438 | PRR 77387 | CNW 31502 |
| UP 303071 | CBQ 131581 | CBQ 49419 |
| PM 72017 | C&O 4141 | |

(b) *Notice and expiration.* Said carrier shall notify the Director of the Bureau of Service, Interstate Commerce Commission, Washington, D. C., when it has completed the unloading required by paragraph (a) hereof, and such notice shall specify when, where and by whom such unloading was performed. Upon receipt of that notice this order shall expire. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901, 911, 49 U.S.C. 1 (10)–(17), 15 (2))

It is further ordered, that this order shall become effective immediately; that a copy of this order and direction shall be served upon The Southern Pacific Company, and upon the Association of American Railroads, Car Service Division, as Agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission, at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 45-22336; Filed, Dec. 13, 1945; 11:50 a. m.]

## OFFICE OF PRICE ADMINISTRATION.

[MPR 591, Order 170]

PACIFIC SEAT AND VALVE CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 9 of Maximum Price Regulation No. 591, *It is ordered:*

(a) The maximum prices for sales by any person to consumers of the following toilet seat manufactured by the Pacific Seat and Valve Company of Los Angeles, California, and described in its application dated November 7, 1945, shall be:

No. 100 White plastic toilet seat and cover with polished chrome plated brass hinges: $6.80.

(b) The maximum net price, f. o. b. point of shipment, for sales by any person to plumbing and heating contractors, installers and commercial and industrial users shall be the maximum price specified in (a) above less a discount of 33⅓ per cent.

(c) The maximum net price, f. o. b. point of shipment, for sales by any person to jobbers shall be the maximum price specified in (a) above less successive discounts of 33⅓ and 25 per cent.

(d) The maximum prices established by this order shall be subject to such further discounts and allowances including transportation allowances, and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales of similar commodities during March 1942.

(e) The maximum prices on an installed basis of the commodities covered by this order shall be determined in accordance with Revised Maximum Price Regulation No. 251.

(f) Each seller covered by this order, except on sales to consumers, shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum prices established by this order for each such seller as well as the maximum prices established for purchasers except dealers upon resale.

(g) The Pacific Seat and Valve Company shall stencil on each toilet seat covered by this order, substantially the following:

OPA Maximum Retail Price, Not Installed $-------

(h) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective December 13, 1945.

Issued this 12th day of December 1945.

CHESTER BOWLES, *Administrator.*

[F. R. Doc. 45-22224; Filed, Dec. 12, 1945; 11:46 a. m.]

[MPR 86, Rev. Order 6]

ELECTRIC HOUSEHOLD UTILITIES CORP.

ADJUSTMENT OF MAXIMUM PRICES

Order 6 under Maximum Price Regulation No. 86 is revised and amended to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to sections 5 and 14 of Maximum Price Regulation No. 86; it is ordered:

SECTION 1. *Manufacturer's ceiling prices.* The Hurley Machine Division of the Electric Household Utilities Corporation, 54th Avenue and Cermak Road, Chicago, Illinois, may adjust its ceiling prices established under section 3 of Maximum Price Regulation No. 86 by the amount provided in section 5 of that regulation for all washing and ironing machines sold and delivered by it on and after October 4, 1945.

SEC. 2. *Distributor's ceiling prices.* The ceiling prices for sales by a distributor in each zone for the model of washing machines listed below are as follows:

| Washing machines—Model | Distributor's ceiling prices | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| | Zone 1 When sold in quantities of— | | | Zone 2 When sold in quantities of— | | | Zone 3 When sold in quantities of— | | |
| | 10 or more | 2 to 9 | 1 | 10 or more | 2 to 9 | 1 | 10 or more | 2 to 9 | 1 |
| 42-8 | $43.00 | $44.03 | $45.50 | $46.08 | $47.18 | $48.74 | $47.09 | $48.44 | $50.03 |
| 42-8ER | 49.15 | 50.33 | 52.01 | 52.23 | 53.48 | 55.25 | 53.45 | 54.74 | 56.57 |
| 42-9 | 55.30 | 56.63 | 58.52 | 58.38 | 59.78 | 61.70 | 59.60 | 61.01 | 63.03 |

A distributor selling any ironing machine for which the manufacturer's ceiling prices are established by section 1 of this revised order shall determine his ceiling prices for such articles in accordance with the provisions of Section 15 of Maximum Price Regulation No. 86.

These prices are subject to each seller's customary terms, discounts, allowances and other conditions of sale applied by him on sales of similar articles during the period October 1–15, 1941 inclusive.

SEC. 3. *Dealers' ceiling prices.* The ceiling prices for sales by a dealer in each zone for the model of washing and ironing machines listed below are as follows:

| | Dealers' ceiling prices to consumers | | |
|---|---|---|---|
| | Zone 1 | Zone 2 | Zone 3 |
| Washing machines—Model: | *Each* | *Each* | *Each* |
| 42-8 | $69.95 | $74.95 | $76.95 |
| 42-8 ER | 79.95 | 84.95 | 86.95 |
| 42-9 ER | 89.95 | 94.95 | 96.95 |
| Ironing machines—Model: | | | |
| 88 | 34.95 | 34.95 | 34.95 |
| 89 | 44.95 | 44.95 | 44.95 |

These prices are subject to each seller's customary terms, discounts, allowances and other conditions of sale applied by him on sales of similar articles during the period October 1–15, 1941 inclusive.

SEC. 4. *Zones.* For purposes of this revised order zones 1, 2 and 3 comprise the following states:

*Zone 1:* Minnesota, Iowa, Missouri, Wisconsin, Illinois, Tennessee, Michigan, Indiana, Kentucky, Ohio, Pennsylvania, West Virginia, Virginia, Maryland, New Jersey, Connecticut, Massachusetts, Rhode Island, New Hampshire, Vermont, Maine, South Dakota, Nebraska, Kansas, New York, Delaware, and the District of Columbia.

*Zone 2:* Louisiana, Oklahoma, Mississippi, Arkansas, Alabama, Georgia, North Carolina, South Carolina, and North Dakota.

*Zone 3:* New Mexico, Arizona, California, Oregon, Nevada, Utah, Colorado, Wyoming, Washington, Montana, Idaho, Texas, and Florida.

SEC. 5. *Notification.* At the time of, or prior to, the first invoice to each purchaser for resale of all washing and ironing machines sold and delivered by the manufacturer on or after the effective date of this revised order, it shall notify each purchaser of the ceiling prices established by this order for resales of these machines by the purchaser. This notice may be given in any convenient form.

SEC. 6. *General provisions.* (a) All the provisions of Maximum Price Regulation No. 86 and Order No. 5 under that regulation continue to apply to all sales and deliveries of articles covered by this order, except to the extent that those provisions are modified by this order.

(b) Unless the context requires otherwise the definitions set forth in the various sections of Maximum Price Regulation No. 86 shall apply to the terms used herein.

SEC. 7. This revised order may be revoked or amended by the Price Administrator at any time.

This revised order shall become effective on the 11th day of December 1945.

Issued this 11th day of December 1945.

JAMES G. ROGERS, Jr.,
*Acting Administrator.*

[F. R. Doc. 45-22190; Filed, Dec. 11, 1945; 4:29 p. m.]

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[MPR 86, Rev. Order 11]

ELECTRIC HOUSEHOLD UTILITIES CORP.

APPROVAL OF CEILING PRICES

Order 11 under Maximum Price Regulation No. 86 is revised and amended to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 14 of Maximum Price Regulation No. 86; *It is ordered:*

(a) This revised order establishes ceiling prices for the Model 89C Gladiron ironer manufactured by the Hurley Machine Division of the Electric Household Utilities Corporation, 54th Avenue and Cermak Road, Chicago, Illinois.

(1) The ceiling prices for sales by a distributor to dealers are as follows:

| Model | Ceiling prices for sales to dealers | |
|---|---|---|
| | In quantities of 1 to 3 | In quantities of 4 or more |
| 89C | *Each* $29.82 | *Each* $27.06 |

These prices are subject to each seller's customary terms, discounts, allowances, and other price differentials in effect on sales of similar articles.

(2) The ceiling price for sales by a dealer in the forty-eight states and the District of Columbia is as follows:

| | *Dealers' ceiling price to consumers (each)* |
|---|---|
| Model 89 C | $42.95 |

This ceiling price is subject to each dealer's customary terms, discounts, allowances and other price differentials in effect on sales of similar articles.

(b) At the time of, or prior to, the first invoice to each purchaser for resale of the ironers covered by this order, the manufacturer shall notify each purchaser of the ceiling prices established by this order for resales by the purchaser. This notice may be given in any convenient form.

(c) All the provisions of Maximum Price Regulation No. 86 continue to apply to all sales and deliveries of articles covered by this order, except to the extent that those provisions are modified by this order.

(d) Unless the context requires otherwise, the definitions set forth in the various sections of Maximum Price Regulation No. 86 shall apply to the terms used herein.

(e) This revised order may be revoked or amended by the Price Administrator at any time.

(f) This revised order shall become effective on the 11th day of December 1945.

Issued this 11th day of December 1945.

JAMES G. ROGERS, Jr.,
*Acting Administrator.*

[F. R. Doc. 45-22191; Filed, Dec. 11, 1945; 4:29 p. m.]

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[MPR 86, Order 25]

ELECTRIC HOUSEHOLD UTILITIES CORP.

APPROVAL OF CEILING PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 14 of Maximum Price Regulation No. 86, *It is ordered:*

(a) This order establishes ceiling prices for the Model 300 Automagic Glad-

iron Automatic ironer manufactured by the Hurley Machine Division of the Electric Household Utilities Corporation, 54th Avenue and Cermak Road, Chicago, Illinois.

(1) The ceiling prices for sales in each zone of the Model 300 by distributors to dealers are as follows:

| | Ceiling prices for sales to dealers in quantities of— | |
|---|---|---|
| | 1 to 3 | 4 or more |
| | *Each* | *Each* |
| Zone 1 | $40.88 | $37.73 |
| Zone 2 | 42.25 | 38.99 |
| Zone 3 | 42.92 | 39.62 |

These ceiling prices are subject to each seller's customary terms, discounts, allowances and other price differentials in effect on sales of similar articles.

(2) The ceiling prices for sales in each zone of the Model 300 by dealers to consumers are as follows:

| | *Ceiling prices for sales to consumers (each)* |
|---|---|
| Zone 1 | $59.95 |
| Zone 2 | 61.95 |
| Zone 3 | 62.95 |

These ceiling prices are subject to each seller's customary terms, discounts, allowances and other price differentials in effect on sales of similar articles.

(b) At the time of, or prior to, the first invoice to each purchaser for resale at wholesale of the ironers covered by this order, the manufacturer shall notify each purchaser of the ceiling prices established by this order for resales by the purchaser. This notice may be given in any convenient form.

(c) For purposes of this order Zones 1, 2 and 3 comprise the following states:

*Zone 1:* Minnesota, Iowa, Missouri, Wisconsin, Illinois, Tennessee, Michigan, Indiana, Kentucky, Ohio, Pennsylvania, West Virginia, Virginia, Maryland, New Jersey, Connecticut, Massachusetts, Rhode Island, New Hampshire, Vermont, Maine, South Dakota, Nebraska, Kansas, New York, Delaware, and the District of Columbia.

*Zone 2:* Louisiana, Oklahoma, Mississippi, Arkansas, Alabama, Georgia, North Carolina, South Carolina, and North Dakota.

*Zone 3:* New Mexico, Arizona, California, Oregon, Nevada, Utah, Colorado, Wyoming, Washington, Montana, Idaho, Texas, and Florida.

(d) All the provisions of Maximum Price Regulation No. 86 continue to apply to all sales and deliveries of articles covered by this order, except to the extent that those provisions are modified by this order.

(e) Unless the context requires otherwise, the definitions set forth in the various sections of Maximum Price Regulation No. 86 shall apply to the terms used herein.

(f) This order may be revoked or amended by the Price Administrator at any time.

(g) This order shall become effective on the 11th day of December, 1945.

Issued this 11th day of December, 1945.

JAMES G. ROGERS, Jr.,
*Acting Administrator.*

[F. R. Doc. 45-22192; Filed, Dec. 11, 1945; 4:28 p. m.]

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[Order 98 Under 3 (e)]

## CEE-BEE CHEMICAL CO.

### APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

(a) Maximum delivered prices for sales of "Durite Cement Floor Cleaner" in 8 ounce glass jars manufactured by Cee-Bee Chemical Company, 655-657 East Gage Avenue, Los Angeles 1, California, are established as follows:

| On sales to: | *Each* |
|---|---|
| Jobbers | $0.27 |
| Retailers | .30 |
| Consumers | .50 |

(b) No extra charge may be made for containers.

(c) With or prior to the first delivery of the aforesaid commodity to jobbers or retailers, the manufacturer shall furnish such wholesaler or retailer with a written notice containing the schedule of maximum prices set out in paragraph (a) above and a statement that they have been established by the Office of Price Administration.

(d) Prior to making any delivery of such commodity after the effective date of this order, the manufacturer shall mark or cause to be marked thereon the following legend:

Maximum retail price ..... 50 cents

This order shall become effective December 13, 1945.

Issued this 12th day of December, 1945.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 45-22212; Filed, Dec. 12, 1945; 11:43 a. m.]

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[SO 119, Order 27]

## GENERAL PORCELAIN ENAMEL CO.

### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the provisions of Supplementary Order No. 119, *It is ordered:*

(a) The General Porcelain Enamel Company of Chicago, Illinois, may determine its maximum prices for its line of formed metal plumbing fixture ware by increasing by 18.8 percent its price in effect on October 1, 1941 to each class of purchaser.

(b) Since the provisions of this Order are not intended to reduce properly established maximum prices, the General Porcelain Enamel Company may continue to use as its maximum prices to each class of purchaser its properly established prices under Maximum Price Regulation No. 591 in the event that such prices exceed the prices in effect to each class of purchaser on October 1, 1941 plus the increase provided for in (a) above.

(c) The General Porcelain Enamel Company of Chicago, Illinois, shall notify each purchaser, in writing at or before the issuance of the first invoice after the effective date of this Order of the actual dollar-and-cents increase for each item of formed metal plumbing fixture ware over his March 1942 maximum price to that class of purchaser.

(d) The maximum price for sale by any reseller of formed metal plumbing fixture ware manufactured by the General Porcelain Enamel Company shall be his March 1942 maximum price to each class of purchaser plus the actual dollar-and-cents increase in present cost resulting from the increase granted the manufacturer under paragraph (a).

A seller shall not be considered "a reseller" within the meaning of this paragraph when he uses the formed metal plumbing fixture ware on or in connection with the sale of another article (such as a sink cabinet) and his maximum price for the formed metal plumbing fixture ware and the other article is established on the basis of a lump sum.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective December 13, 1945.

Issued this 12th day of December 1945.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 45-22228; Filed, Dec. 12, 1945; 11:43 a. m.]

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[SO 119, Order 28]

## ALLIANCE PORCELAIN PRODUCTS CO.

### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the provisions of Supplementary Order No. 119; *It is ordered:*

(a) The Alliance Porcelain Products Company of Alliance, Ohio may determine its maximum prices for its line of formed metal plumbing fixture ware by increasing by 18.5 percent its price in effect on October 1, 1941 to each class of purchaser.

(b) Since the provisions of this order are not intended to reduce properly established maximum prices, the Alliance Porcelain Products Company may continue to use as its maximum prices to each class of purchaser its properly established prices under Maximum Price Regulation No. 591 in the event that such prices exceed the prices in effect to each class of purchaser on October 1, 1941 plus the increase provided for in (a) above.

(c) The Alliance Porcelain Products Company of Alliance, Ohio shall notify each purchaser, in writing at or before the issuance of the first invoice after the effective date of this Order of the actual dollar-and-cents increase for each item

of formed metal plumbing fixture ware over his March 1942 maximum price to that class of purchaser.

(d) The maximum price for sale by any reseller of formed metal plumbing fixture ware manufactured by the Alliance Porcelain Products Company shall be his March 1942 maximum price to each class of purchaser plus the actual dollar-and-cents increase in present cost resulting from the increase granted the manufacturer under paragraph (a).

A seller shall not be considered "a reseller" within the meaning of this paragraph when he uses the formed metal plumbing fixture ware on or in connection with the sale of another article (such as a sink cabinet) and his maximum price for the formed metal plumbing fixture ware and the other article is established in the basis of a lump sum.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective December 13, 1945.

Issued this 12th day of December 1945.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 45-22229; Filed, Dec. 12, 1945; 11:43 a. m.]

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[MPR 120, Corr. to Amdt. 2 to Order 1290]

## BITUMINOUS COAL IN DISTRICT 3

### ORDER CONSOLIDATING ADJUSTMENTS FOR INDIVIDUAL MINES

Amendment No. 2 to Order No. 1290 under Maximum Price Regulation No. 1290 is hereby corrected in the following respect:

In the table of maximum prices in paragraph (a), the maximum price $2.30 for Size Group No. 5 coal produced at Hutchison Coal Company's McCandlish Mine, Mine Index No. 97, in District No. 3 is corrected to read $2.50.

This correction shall be effective as of December 9, 1945.

Issued this 12th day of December 1945.

JAMES G. ROGERS, Jr.,
*Acting Administrator.*

[F. R. Doc. 45-22213; Filed, Dec. 12, 1945; 11:43 a. m.]

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[RMPR 136, Order 560]

## CORNELL-DUBILIER ELECTRIC CORP.

### DETERMINATION OF MAXIMUM PRICES

Order No. 560 under Revised Maximum Price Regulation 136. Machines, parts and industrial equipment. Cornell-Dubilier Electric Corporation. Docket No. 6083-136.21-685.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 21 of Revised Maximum Price Regulation 136; *It is ordered:*

(a) The maximum prices for sales by Cornell-Dubilier Electric Corporation, South Plainfield, New Jersey, of the following electrical capacitors shall be determined by applying to its October 1, 1941, maximum prices the increase or decrease of the applicable percentages set forth below, in accordance with the provisions of subparagraph (3) of section 19 (i) of Revised Maximum Price Regulation 136, as amended:

| Electrical capacitors: | *Percentages* |
|---|---|
| Instruments | +16.4 |
| Oils | +16.4 |
| Power factor correction | 00.0 |
| Transmitti g mica | −5.8 |
| Moulded mica | +14.2 |
| Tubular | +50.0 |
| Wax banks | +26.4 |
| Electrolytics | +16.4 |
| Fluorescents | +27.6 |

In the case of mica capacitors, this order is without prejudice to his right to use adders, including increments, in the cost of mica and mica parts which have been increased since March 31, 1942, pursuant to the provisions of section 19 (d) of Revised Maximum Price Regulation 136.

(b) The maximum prices for sales by resellers of electrical capacitors manufactured by Cornell-Dubilier Electric Corporation shall be determined as follows: The reseller shall increase or decrease the maximum net price he had in effect to a purchaser of the same class just prior to the issuance of this order by the percentage by which his net invoiced cost has been increased or decreased by reason of this order.

(c) Cornell-Dubilier Electric Corporation shall notify each person who buys electrical capacitors from Cornell-Dubilier Electric Corporation for resale of the percentage by which this order permits the reseller to increase, or requires him to decrease his maximum price. A copy of each such notice shall be filed with the Machinery Branch, Office of Price Administration, Washington 25, D. C.

(d) On or before April 1, 1946, Cornell-Dubilier Electric Corporation shall file with the Machinery Branch, Office of Price Administration, Washington 25, D. C., a report showing the total dollar amount of sales of its electrical capacitors, broken down into the groups listed in the order, for the period January 1 to February 28, 1946, inclusive. On or before June 1, 1946, Cornell-Dubilier Electric Corporation shall file similar reports covering its sales of such electrical capacitors for the entire months of March, April and May, 1946.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective December 13, 1945.

Issued this 12th day of December 1945.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 45-22214; Filed, Dec. 12, 1945; 11:43 a. m.]

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[RMPR 136, Order 561]

## DUTCHESS TOOL CO.

### DETERMINATION OF MAXIMUM PRICES

Order No. 561 under Revised Maximum Price Regulation 136. Machines, parts and industrial equipment. Dutchess Tool Company. Docket No. 6083-136.21-624.

For the reasons set forth in an opinion, issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 21 of Revised Maximum Price Regulation 136, *It is ordered:*

(a) The maximum prices for sales of #1 bread rounder shall be $1,282. The maximum prices for sales of all service parts manufactured by the Dutchess Tool Company, Beacon, New York shall be determined by multiplying by 119% the maximum prices in effect to a purchaser of the same class just prior to the issuance of this order.

(b) The maximum prices for sales of these products by resellers shall be determined as follows: The reseller may add to the maximum net prices he had in effect to a purchaser of the same class, just prior to the issuance of this order, the amount, in dollars-and-cents, by which his net invoiced cost has been increased due to the adjustment granted the manufacturer by this order.

(c) The Dutchess Tool Company shall notify each person who buys bread rounders and/or service parts for resale of the dollars-and-cents amounts by which this order permits the reseller to increase his maximum net prices. A copy of each such notice shall be filed with the Machinery Branch, Office of Price Administration, Washington 25, D. C.

(d) All requests not granted herein are denied.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective December 13, 1945.

Issued this 12th day of December 1945.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 45-22215; Filed, Dec. 12, 1945; 11:44 a. m.]

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[RMPR 136, Order 562]

## AMERICAN BANTAM CAR CO.

### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, and filed with the Division of the Federal Register, and pursuant to sections 9, 10 and 11 (c) of Revised Maximum Price Regulation 136, *It is ordered:*

(a) American Bantam Car Company, Bantam Avenue, Butler, Pennsylvania, may sell, f. o. b. plant, each Bantam trailer, described in subparagraph (1) below, at a price not to exceed $127.60 plus federal excise tax, and state and local taxes on its sale or delivery of the trailer, and the cost of transporting the trailer to the purchaser, if any.

(1) *Description.*

Model T3C; two-wheel utility; 6' long x 48" wide (overall) x 18" high; ½ ton capacity; equipped with 6.00 x 16 4-ply synthetic tires; 10 gauge all steel construction; 18" drop tail-gate; equipped with front leg, fenders and safety chains.

(b) American Bantam Car Company is authorized to suggest to resellers a resale price for the trailer described in paragraph (a) (1) consisting of the following:

(1) *Suggested resale price.* $159.50.

(2) *Charges.* (i) A charge for transportation, if any, not to exceed the actual rail freight charge from the factory at Butler, Pennsylvania, to the railroad freight receiving station nearest to the place of business of the reseller.

(ii) A charge equal to the charge made by American Bantam Car Company to cover federal excise taxes.

(iii) A charge equal to reseller's expense for payment of state and local taxes on the purchase, sale or delivery of the trailer.

(c) A reseller of Bantam trailers in any of the territories or possessions of the United States is authorized to sell the trailer described in paragraph (a), at a price not to exceed the applicable price established in paragraph (b), to which it may add a sum equal to the expense incurred by or charged to it for payment of territorial and insular taxes, on the purchase, sale or introduction of the trailer; export premiums; boxing and crating for export purposes; marine and war risk insurance; and landing, wharfage and terminal operations.

(d) All requests not granted herein are denied.

(e) This order may be amended or revoked by the Administrator at any time.

NOTE: Where the manufacturer's invoice charge to the reseller is increased or decreased from the previous invoice charge because the manufacturer has a newly established price under Section 8 of Revised Maximum Price Regulation 136, due to substantial changes in design, specifications or equipment of the trailer, the reseller may add to its price under paragraph (b) the increase in price, plus its customary markup on such a cost increase, but in case of a decrease in the price, the reseller must reduce its price under paragraph (b) by the amount of the decrease and its customary markup on such an amount.

This order shall become effective December 13, 1945.

Issued this 12th day of December 1945.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 45-22216; Filed, Dec. 12, 1945; 11:44 a. m.]

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[MPR 260, Amdt. 1 to Order 265]

JEROME M. WAGMAN

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this amendment and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

The maximum prices for the "Louis Mann-Louis Mann" cigar set forth in paragraph (a) of Order No. 265 under Maximum Price Regulation No. 260, are amended to read as follows:

| Brand | Size or front-mark | Packing | Maximum list price | Maximum retail price |
|---|---|---|---|---|
| Louis Mann | Louis Mann | 50 | *Per M* $64.00 | *Cents* 8 |

This amendment shall become effective December 13, 1945.

Issued this 12th day of December 1945.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 45-22217; Filed, Dec. 12, 1945; 11:44 a. m.]

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[MPR 580, Amdt. 1 to Order 67]

PRINCE GARDNER

ESTABLISHMENT OF MAXIMUM PRICES

Maximum Price Regulation No. 580, Amendment 1 to Order 67. Establishing ceiling prices at retail for certain articles. Docket No. 6063-580-13-381.

For the reasons set forth in the opinion issued simultaneously, herewith, paragraph (a) of Order 67 is amended by adding the following:

"PRINCE GARDNER" BILLFOLDS

| Style No. | Retail ceiling price | Manufacturer's selling price |
|---|---|---|
| 56B21Z | $2.00 | $1.00 |
| 54B21Z | 2.00 | 1.00 |
| 50B21Z | 2.00 | 1.00 |
| 54B25Z2 | 2.50 | 1.25 |
| 50B25Z | 2.50 | 1.25 |
| 56B25Z | 2.50 | 1.25 |
| 14B21 | 3.50 | 1.75 |
| 27B22Z | 3.50 | 1.75 |
| 24B25Z | 3.50 | 1.75 |
| 19R29 | 5.00 | 2.50 |
| 20R29 | 5.00 | 2.50 |
| 31R29 | 5.00 | 2.50 |
| 14R29 | 5.00 | 2.50 |
| 19R39Z | 5.00 | 2.50 |
| 20R39Z | 5.00 | 2.50 |
| 31R39Z | 5.00 | 2.50 |
| 19R29Z | 5.00 | 2.50 |
| 1B21 | 5.00 | 2.50 |
| 6R29 | 7.50 | 3.75 |
| 1R29 | 7.50 | 3.75 |
| 5R39Z | 7.50 | 3.75 |
| 1R29Z | 7.50 | 3.75 |
| 12B21 | 7.50 | 3.75 |
| 12R29 | 10.00 | 5.00 |
| 3R29 | 10.00 | 5.00 |
| 4R29 | 10.00 | 5.00 |
| 15B12 | 10.00 | 5.00 |
| 8B12 | 10.00 | 5.00 |
| 15B22 | 15.00 | 7.50 |
| 8B22 | 15.00 | 7.50 |
| 15R29 | 20.00 | 10.00 |
| 8R29 | 20.00 | 10.00 |

"PRINCE GARDNER" KEY CASES

| | | |
|---|---|---|
| 1KL4Z English Morocco | $2.50 | $1.25 |
| 1KL6Z English Morocco | 3.00 | 1.50 |
| 1KL8Z English Morocco | 3.50 | 1.75 |
| 1KL4 English Morocco | 2.00 | 1.00 |
| 1KL6 English Morocco | 2.50 | 1.25 |
| 3KL4Z Pinseal | 3.00 | 1.50 |
| 3KL6Z Pinseal | 3.50 | 1.75 |
| 3KL4 Pinseal | 2.50 | 1.25 |
| 3KL6 Pinseal | 3.00 | 1.50 |
| 4KL6Z Iceland Seal | 3.50 | 1.75 |
| 4KL6 Iceland Seal | 3.00 | 1.50 |
| 5KL6Z Boarded Calf | 3.00 | 1.50 |
| 6KL4Z Smooth Calf | 2.50 | 1.25 |
| 6KL6Z Smooth Calf | 3.00 | 1.50 |
| 6KL8Z Smooth Calf | 3.50 | 1.75 |
| 6KL4 Smooth Calf | 2.00 | 1.00 |
| 6KL6 Smooth Calf | 2.50 | 1.25 |
| 8KL4Z Ostrich | 3.50 | 1.75 |
| 8KL6Z Ostrich | 4.00 | 2.00 |
| 8KL8Z Ostrich | 5.00 | 2.50 |
| 8KL4 Ostrich | 3.00 | 1.50 |
| 8KL6 Ostrich | 3.50 | 1.75 |

"PRINCE GARDNER" KEY CASES—Continued

| Style No. | Retail ceiling price | Manufacturer's selling price |
|---|---|---|
| 12KL4Z Pigskin | $3.00 | $1.50 |
| 12KL6Z Pigskin | 3.50 | 1.75 |
| 12KL8Z Pigskin | 4.00 | 2.00 |
| 12KL4 Pigskin | 2.50 | 1.25 |
| 12KL6 Pigskin | 3.00 | 1.50 |
| 12KL8 Pigskin | 3.50 | 1.75 |
| 14KL6Z Hand Boarded Goat | 2.50 | 1.25 |
| 14KL8Z Hand Boarded Goat | 3.00 | 1.50 |
| 14KL4 Hand Boarded Goat | 1.50 | .75 |
| 14KL6 Hand Boarded Goat | 2.00 | 1.00 |
| 15KL4Z Alligator | 3.50 | 1.75 |
| 15KL6Z Alligator | 4.00 | 2.00 |
| 15KL8Z Alligator | 5.00 | 2.50 |
| 15KL4 | 3.00 | 1.50 |
| 15KL6 | 3.50 | 1.25 |
| 20KL4Z Calif. Saddle | 2.00 | 1.00 |
| 20KL6Z Calif. Saddle | 2.50 | 1.25 |
| 20KL8Z Calif. Saddle | 3.00 | 1.50 |
| 20KL4 Calif. Saddle | 1.50 | .75 |
| 20KL6 Calif. Saddle | 2.00 | 1.00 |
| 20KL8 Calif. Saddle | 2.50 | 1.25 |
| 30KL6Z Lizzard Goat | 2.00 | 1.00 |
| 31KL6Z Peerless Goat | 2.00 | 1.00 |
| 33KL6Z Norwegian Goat | 2.00 | 1.00 |
| 34KL6Z Buffalo Cow | 2.00 | 1.00 |

The retail ceiling price of an article stated in this paragraph (a) shall apply to any other article of the same type, having the same selling price to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this order.

This amendment shall become effective December 13, 1945.

Issued this 12th day of December 1945.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 45-22218; Filed, Dec. 12, 1945; 11:45 a. m.]

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[MPR 580, Amdt. 1 to Order 68]

STONE-TARLOW CO., INC.

ESTABLISHMENT OF MAXIMUM PRICES

Maximum Price Regulation No. 580, Amendment 1 to Order 68. Establishing ceiling prices at retail for certain articles. Docket No. 6063-580-13-396.

For the reasons set forth in the opinion issued simultaneously herewith, paragraph (a) of Order No. 68 is amended by adding the following:

| Article | Brand name | Manufacturer's price line | Ceiling price at retail: In Montana, Wyoming, Colorado, and New Mexico and west of these States | Ceiling price at retail: East of Montana, Wyoming, Colorado and New Mexico |
|---|---|---|---|---|
| Men's shoes | Elevators | $8.75 | $14.95 | $14.00 |

The retail ceiling price of an article stated in this paragraph (a) shall apply to any article of the same type, having the same selling price to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this order.

This amendment shall become effective December 13, 1945.

Issued this 12th day of December 1945.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 45-22219; Filed, Dec. 12, 1945; 11:45 a. m.]

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[MPR 580, Amdt. 1. to Order 90]

## HOLEPROOF HOSIERY

### ESTABLISHMENT OF MAXIMUM PRICES

Maximum Price Regulation No. 580, Amendment 1 to Order 90. Establishing ceiling prices at retail for certain articles. Docket No. 6063-580-13-402.

For the reasons set forth in the opinion issued simultaneously herewith, Order No. 90 under section 13 of Maximum Price Regulation 580 is amended in the following respects:

1. Paragraph (a) is amended by adding to the application filed by Holeproof Hosiery Co., dated June 21, 1945, the following list of articles and their ceiling prices at retail:

MEN'S HOSIERY

| Style No. | Manufacturer's selling price | Retail ceiling price |
|---|---|---|
| | *Per dozen* | *Per unit* |
| 981 | $3.00 | $0.45 |
| 982 | 3.00 | .45 |
| 983 | 3.00 | .45 |
| 984 | 3.00 | .45 |
| 986 | 3.00 | 45 |
| 987 | 3.00 | .45 |
| 968 | 3.00 | .45 |
| 969 | 3.00 | .45 |
| 981 | 3.00 | .45 |
| 982 | 3.00 | .45 |
| 983 | 3.00 | .45 |
| 984 | 3.00 | .45 |
| 986 | 3.00 | .45 |
| 987 | 3.00 | .45 |
| 988 | 3.00 | .45 |
| 989 | 3.00 | .45 |
| 991 | 3.00 | .45 |
| 992 | 3.00 | .45 |
| 993 | 3.00 | .45 |
| 7961 | 3.00 | .45 |
| 7963 | 3.00 | .45 |
| 7966 | 3.00 | .45 |
| 7967 | 3.00 | .45 |
| 7968 | 3.00 | .45 |
| 7969 | 3.00 | .45 |
| 7981 | 3.00 | .45 |
| 7982 | 3.00 | .45 |
| 7983 | 3.00 | .45 |
| 7984 | 3.00 | .45 |
| 7986 | 3.00 | .45 |
| 7991 | 3.00 | .45 |
| 7992 | 3.00 | .45 |
| 7993 | 3.00 | .45 |
| 690 | 4.25 | .65 |
| 752 | 4.25 | .65 |
| 922 | 4.25 | .65 |
| 923 | 4.25 | .65 |
| 924 | 4.25 | .65 |
| 926 | 4.25 | .65 |
| 927 | 4.25 | .65 |
| 928 | 4.25 | .65 |
| 929 | 4.25 | .65 |
| 931 | 4.25 | .65 |
| 932 | 4.25 | .65 |
| 933 | 4.25 | .65 |
| 936 | 4.25 | .65 |
| 937 | 4.25 | .65 |
| 938 | 4.25 | .65 |
| 939 | 4.25 | .65 |
| 941 | 4.25 | .65 |
| 942 | 4.25 | .65 |
| 943 | 4.25 | .65 |
| 944 | 4.25 | .65 |
| 946 | 4.25 | .65 |
| 947 | 4.25 | .65 |
| 948 | 4.25 | .65 |
| 949 | 4.25 | .65 |
| 951 | 4.25 | .65 |
| 953 | 4.25 | .65 |
| 7922 | 4.25 | .65 |
| 7923 | 4.25 | .65 |

MEN'S HOSIERY—Continued

| Style No. | Manufacturer's selling price | Retail ceiling price |
|---|---|---|
| | *Per dozen* | *Per unit* |
| 7924 | $4.25 | $0.65 |
| 7926 | 4.25 | .65 |
| 7927 | 4.25 | .65 |
| 7928 | 4.25 | .65 |
| 7929 | 4.25 | .65 |
| 7932 | 4.25 | .65 |
| 7933 | 4.25 | .65 |
| 7936 | 4.25 | .65 |
| 7937 | 4.25 | .65 |
| 7938 | 4.25 | .65 |
| 7939 | 4.25 | .65 |
| 7941 | 4.25 | .65 |
| 7942 | 4.25 | .65 |
| 7943 | 4.25 | .65 |
| 7944 | 4.25 | .65 |
| 7946 | 4.25 | .65 |
| 7951 | 4.25 | .65 |
| 7954 | 4.25 | .65 |
| 952 | 4.25 | .65 |
| 370 | 4.25 | .65 |
| 430 | 4.25 | .65 |
| 955 | 4.25 | .65 |
| 1931 | 4.25 | .65 |
| 1700 | 7.25 | 1.00 |
| 7901 | 7.25 | 1.00 |
| 7902 | 7.25 | 1.00 |
| 7903 | 7.25 | 1.00 |
| 7904 | 7.25 | 1.00 |
| 7906 | 7.25 | 1.00 |
| 7907 | 7.25 | 1.00 |
| 7908 | 7.25 | 1.00 |
| 7911 | 7.25 | 1.00 |
| 7912 | 7.25 | 1.00 |
| 7913 | 7.25 | 1.00 |
| 689 | 7.25 | 1.00 |
| 900 | 7.25 | 1.00 |
| 901 | 7.25 | 1.00 |
| 902 | 7.25 | 1.00 |
| 903 | 7.25 | 1.00 |
| 904 | 7.25 | 1.00 |
| 975 | 7.25 | 1.00 |
| 915 | 7.25 | 1.00 |
| 945 | 7.25 | 1.00 |
| 965 | 7.25 | 1.00 |
| 6033 | 7.25 | 1.00 |
| 1936 | 7.25 | 1.00 |
| 905 | 8.25 | 1.15 |
| 925 | 8.25 | 1.15 |
| 970 | 8.25 | 1.15 |
| 1810 | 8.25 | 1.15 |
| 935 | 8.25 | 1.15 |
| 1820 | 10.50 | 1.50 |
| 1975 | 10.50 | 1.50 |
| 880 | 10.50 | 1.50 |
| 930 | 12.50 | 1.75 |
| 1930 | 12.50 | 1.75 |
| 7911 | 12.50 | 1.75 |

2. Paragraph (a) is further amended by adding the following undesignated paragraph:

The retail ceiling price of an article established in this paragraph (a) shall apply to any other article of the same type, having the same selling price to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this Order.

3. Paragraph (b) is amended to read as follows:

(b) The retail ceiling prices contained in paragraph (a) shall apply in place of the ceiling prices which have been or would otherwise be established under this or any other regulation.

4. Paragraph (d) is amended to read as follows:

(d) On or before the first delivery to any purchaser for resale of each article for which a price is established by paragraph (a), the seller shall send the purchaser a copy of this order, any amendments thereto, and a statement showing the articles covered by this order and their retail ceiling prices as established by paragraph (a).

5. Paragraph (e) is amended to read as follows:

(e) Unless the context otherwise requires, the provisions of the applicable regulation shall apply to sales for which retail ceiling prices are established by this order.

This amendment shall become effective December 13, 1945.

Issued this 12th day of December 1945.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 45-22220; Filed, Dec. 12, 1945; 11:45 a. m.]

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[MPR 580, Amdt. 1 to Order 123]

## PHOENIX HOSIERY CO.

### ESTABLISHMENT OF MAXIMUM PRICES

Maximum Price Regulation 580, Order No. 123, Amendment 1. Establishing ceiling prices at retail for branded articles. Docket No. 6063-580-13-409.

For the reasons set forth in the opinion issued simultaneously herewith, paragraph (a) of order 128 is amended by adding the following:

WOMEN'S HOSE

| Style No. | Manufacturer's selling price | Retail ceiling price |
|---|---|---|
| | *(Per dozen)* | |
| A-99 | $9.75 | $1.35 |

This amendment shall become effective December 13, 1945.

Issued this 12th day of December 1945.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 45-22221; Filed, Dec. 12, 1945; 11:46 a. m.]

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[MPR 580, Amdt. 1 to Order 150]

## SCHAFFER BELTS

### ESTABLISHMENT OF MAXIMUM PRICES

Maximum Price Regulation No. 580, Amendment 1 to Order 150. Establishing ceiling prices at retail for certain articles. Docket No. 6063-580-13-407.

For the reasons set forth in the Opinion issued simultaneously herewith, paragraph (a) of Order No. 150 is amended in the following respects:

1. Paragraph (a) is amended by adding the following:

| Article | Brand name | Manufacturer's selling price | Retail ceiling price |
|---|---|---|---|
| | | *Per dozen* | *Per unit* |
| Belt | "Schaffer" | $7.50 | $1.00 |
| | | 13.50 | 2.00 |
| | | 15.00 | 2.00 |
| | | 19.50 | 3.00 |
| | | 21.00 | 3.00 |
| | | 24.00 | 3.50 |
| | | 33.00 | 5.00 |
| | | 33.00 | 5.00 |
| | | 45.00 | 7.00 |

2. Paragraph (e) is amended to read:

(e) On or before the first delivery to any purchaser for resale of each article listed in pararaph (a), the seller shall send the purchaser a copy of this order and any amendments thereto.

This amendment shall become effective December 13, 1945.

Issued this 12th day of December 1945.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 45-22222; Filed, Dec. 12, 1945; 11:45 a. m.]

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[Rev. Order 414 Under 3 (b)]

## GENERAL LINE CANS

### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Orders 9250 and 9328 and § 1499.3 (b) of the General Maximum Price Regulation, *It is ordered:*

That Order No. 414 under § 1499.3 (b) of the General Maximum Price Regulation is revised and amended to read as follows:

(a) *What this order does.* (1) This order authorizes manufacturers of general line cans made of black plate or of electrolytic tin plate, formerly made of hot dip tin plate, which cannot be priced under § 1499.2 of the General Maximum Price Regulation, to compute their maximum prices for such products by the pricing method set forth in paragraph (b) (1) of this order.

(2) This order also authorizes manufacturers of general line cans, other than those described in subparagraph (1) above, that cannot be priced under § 1499.2 of the General Maximum Price Regulation, to compute their maximum prices in accordance with the pricing method set forth in paragraph (b) (2) of this order.

(3) This order does not apply to sales of any general line cans by manufacturers for which maximum prices are established by § 1499.2 of the General Maximum Price Regulation or for sales of cans for which maximum prices are established by specific maximum price regulations such as Maximum Price Regulation No. 350—Packers' Tin Cans and Condensed Milk Cans. The pricing methods authorized by this order supersede the provisions of §§ 1499.2 and 1499.3 (b) of the General Maximum Price Regulation as applied to the establishment by manufacturers of maximum prices for general line cans made of black plate or electrolytic tin plate.

(b) *Pricing methods*—(1) *Method by which manufacturers shall determine maximum prices for general line cans made of black plate or electrolytic tin plate which were formerly made of hot dip tin plate.* On and after the effective date of this order, any person manufacturing and selling a general line can made of black plate or electrolytic tin plate, which was formerly made of hot dip tin plate and for which a maximum price cannot be determined under § 1499.2 of the General Maximum Price Regulation, shall determine his maximum price in the following manner: From the maximum price established under § 1499.2 of the General Maximum Price Regulation for the general line can made of hot dip tin plate there shall be deducted the current delivered cost of hot dip tin plate per unit of sale and there shall be added the current delivered cost of black plate per unit of sale or the current delivered cost of electrolytic plate per unit of sale whichever is applicable. (If enamel is furnished the cost of enamel shall be included as a portion of the delivered cost.) The resulting figure shall be the maximum price of the general line can made of black plate or electrolytic tin plate, as the case may be.

*Example:* 1. A producer of gallon cans formerly used ten base boxes of 100-pound tin plate to produce 1000 cans. He paid $5.00 per base box, less 2% for cash, plus $0.50 freight, for a net delivered cost of $54.00 per 1000 cans. Black plate costs him $4.20 per hundred pounds, less ½% for cash, plus $0.50 freight, and plus $1.00 for lacquering, or a total of $56.80. His ceiling price for the hot dip cans was $70; the ceiling price for the black plate cans under this order becomes $72.80. 2. A producer of friction top cans formerly used two base boxes of 95 pound hot dip tin plate in making 1000 cans. His net delivered cost per 1000 cans was $10.60. The necessary black plate now costs $7.66, or $2.94 less. His ceiling price for hot dip cans was $20 per 1000; the ceiling price for the black plate cans is $17.06.

(2) *Method by which manufacturers shall determine maximum prices for general line cans (other than those described in subparagraph (1) above) which cannot be priced under §1499.2 of the General Maximum Price Regulation.* On and after the effective date of this order, any person manufacturing and selling general line cans (other than those described in subparagraph (1) above) which cannot be priced under § 1499.2 of the General Maximum Price Regulation shall determine his maximum price in the following manner:

(i) The maximum price shall be the price determined in accordance with the formula which the manufacturer had in effect in March 1942. In applying such formula the manufacturer shall use the material costs and wage rates which were in effect in March 1942 and shall use the same rate of overhead or burden and mark-up or margin over allowable costs which he employed in that month. New materials not in use during March 1942 shall be included in the calculation of the permissible maximum price at the current maximum price of such material.

(ii) If a manufacturer did not produce any general line cans in March 1942, he shall file an application with the Metals Price Branch, Office of Price Administration, Washington 25, D. C., for the establishment of a price determining method. Such application may be made by letter and shall be filed before any sales or offers to sell are made. The applicant shall indicate the type of cans to be produced and set forth a proposed price determining method which will result in maximum prices in line with those otherwise established by the General Maximum Price Regulation or this order. The Office of Price Administration may request such additional relevant information as it deems necessary and will approve, approve upon condition, adjust, or disapprove the requested pricing method. Unless action is taken by the Office of Price Administration within twenty days of the receipt of an application, or any additional information requested, the proposed pricing method submitted by the applicant shall be deemed to have been approved. Any price determining method approved in accordance with this paragraph may be revoked or modified by the Administrator at any time.

(c) *Filing provisions.* (1) Any manufacturer determining his maximum price in accordance with paragraph (b) (1) above shall within ten days of making such determination file with the Office of Price Administration, Washington 25, D. C., a statement showing (i) the maximum price of the article made of hot dip tin plate, (ii) quantity of hot dip tin plate used per unit, (iii) the net delivered cost of hot dip tin plate per unit when last used in producing the article, (iv) the net delivered cost of black plate, or electrolytic tin plate (whichever is applicable) per base box, showing mill base price, where purchased, extras, freight and discounts, and (v) the new maximum price calculated pursuant to this order.

(2) Any manufacturer who proposes to determine a maximum price for a general line can in accordance with paragraph (b) (2) (i) above shall file with the Metals Price Branch, Office of Price Administration, Washington 25, D. C., a statement setting forth the pricing formula which he had in effect in March 1942 for the type of can being priced. Such statement shall set forth the method used for determining material costs for tin plate, solder and other direct materials, the method of estimating labor cost, rates used in estimating overhead costs, and mark-up or margin which were in effect for the manufacturer in March 1942 and which were applicable to the equipment to be used in the manufacture of the can being priced. This statement shall be filed prior to the delivery of any cans for which a maximum price was determined by application of the formula.

(d) *Definitions.* The term "general line can", as used in this order, means any new shipping container requiring a protective package during shipment, made of 28 gauge or lighter, coated or uncoated, steel sheets. It does not include packers' sanitary or condensed milk cans as defined in Maximum Price Regulation No. 350; or "Steel Shipping Containers" not requiring a protective package during shipment or containers governed by Maximum Price Regulation No. 187 or containers designed or manufactured for storage purposes or for component parts of any commodity not generally used as a shipping container or shipping containers manufactured from

combinations of steel sheets and other materials such as paper, wood, fiber board, etc.

(e) *Revocation and amendment.* This order may be revoked or amended by the Administrator at any time.

NOTE: All reporting and record-keeping provisions of this Order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This order shall become effective December 18, 1945.

Issued this 13th day of December 1945.

JAMES G. ROGERS, Jr.,
*Acting Administrator.*

[F. R. Doc. 45-22279; Filed, Dec. 13, 1945; 11:27 a. m]

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[RMPR 528, Order 76]

THE GOODYEAR TIRE & RUBBER CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 16 (d) of Revised Maximum Price Regulation 528; *It is ordered:*

(a) Maximum retail prices for the following sizes and types of new tires and tube shall be:

| Size | Ply | Type | Maximum retail price | |
|---|---|---|---|---|
| | | | Per tire | Per tube |
| 4-19 | 4 | Farm tractor front | $11.55 | ------ |
| 6.00-15 | 4 | Passenger car | 14.85 | $3.60 |
| 7.00-6 | 6 | Aircraft | 23.95 | ------ |

(b) All provisions of Revised Maximum Price Regulation 528 not inconsistent with this order shall apply to sales covered by this order.

(c) This order may be revoked or amended by the Office of Price Administration at any time.

This order shall become effective December 14, 1945.

Issued this 13th day of December 1945.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 45-22308; Filed, Dec. 13, 1945; 11:34 a. m.]

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[MPR 591, Order 171]

HEINTZ MANUFACTURING CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 9 of Maximum Price Regulation No. 591; *It is ordered:*

(a) The maximum net prices, f. o. b. point of shipment, for sales by Heintz Manufacturing Company to Sears, Roebuck and Company of Chicago, Ill., of the following steel undersink cabinets manufactured by the Heintz Manufacturing Company of Philadelphia, Pa., and described in its application dated October 30, 1945, shall be:

| | |
|---|---|
| 42" x 24" Steel enameled under sink cabinet with 2 drawers, brass drawer runners and 1¼" thick insulation on doors, drawer fronts and front panels | $20.52 |
| 48" x 24" Steel enameled under sink cabinet with 3 drawers, brass drawer runners and 1¼" thick insulation on doors, drawer fronts and front panels | 23.35 |
| 54" x 24" Steel enameled under sink cabinet with 4 drawers, brass drawer runners and 1¼" thick insulation on doors, drawer fronts and front panels | 25.93 |
| 66" x 24" Steel enameled under sink cabinet with 4 drawers, brass drawer runners and 1¼" thick insulation on doors, drawer fronts and front panels | 33.43 |

(b) The maximum net prices, f. o. b. the point indicated below, for sales by Sears, Roebuck and Company of Chicago, Ill., to any person of the following steel under sink cabinets manufactured by the Heintz Manufacturing Company of Philadelphia, Pa., shall be:

| | Unit price on sales through mail order catalog f. o. b. Philadelphia, Pa. | Unit price on sales through retail stores f. o. b. store |
|---|---|---|
| 42" x 24" steel enameled under sink cabinet with 2 drawers, brass drawer runners and 1¼" thick insulation on doors, drawer fronts and front panels. | $27.09 | $33.09 |
| 48" x 24" steel enameled under sink cabinet with 3 drawers, brass drawer runners and 1¼" thick insulation on doors, drawer fronts and front panels. | 30.72 | 34.13 |
| 54" x 24" steel enameled under sink cabinet with 4 drawers, brass drawer runners and 1¼" thick insulation on doors, drawer fronts and front panels. | 34.20 | 38.09 |
| 66" x 24" steel enameled under sink cabinet with 4 drawers, brass drawer runners and 1¼" thick insulation on doors, drawer fronts and front panels. | 43.97 | 48.85 |

(c) The Heintz Manufacturing Company shall notify Sears, Roebuck and Company, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum prices established by this order for Heintz Manufacturing Company to Sears, Roebuck and Company as well as the maximum prices established for Sears, Roebuck and Company upon resale, including allowable transportation.

This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective December 13, 1945.

Issued this 12th day of December 1945.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 45-22225; Filed, Dec. 12, 1945; 11:46 a. m.]

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[RMPR 528, Order 77]

THE GOODYEAR TIRE & RUBBER CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 16 (d) of Revised Maximum Price Regulation 528; *It is ordered:*

(a) The maximum retail price for a 15-30, 6 ply, Rear Tractor Tire, Rice and Cane Field Special manufactured by The Goodyear Tire & Rubber Company, Akron, Ohio, shall be $145.90 each.

(b) All provisions of Revised Maximum Price Regulation 528 not inconsistent with this order shall apply to sales covered by this order.

(c) This order may be revoked or amended by the Office of Price Administration.

This order shall become effective December 14, 1945.

Issued this 13th day of December 1945.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 45-22303; Filed, Dec. 13, 1945; 11:35 a. m.]

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[MPR 539,[1] Amdt. 3 to Gen. Retail Order 3[2]]

KNITTED UNDERWEAR, SLEEPING GARMENTS AND ATHLETIC, SWEAT AND "TEE" SHIRTS

MODIFICATION OF CEILING PRICES FOR CERTAIN ARTICLES

An opinion accompanying this Amendment 3 to General Retail Order No. 3 under section 23 of Maximum Price Regulation 580, issued simultaneously herewith, has been filed with the Division of the Federal Register.

General Retail Order No. 3 under section 23 of Maximum Price Regulation 580 is amended in the following respects:

1. The heading to section 2 is amended to read as follows: "Ceiling prices for certain cotton products and certain manufactured articles."

2. Note 2 of section 2 (a) is amended to read as follows:

[2] Except as provided in subparagraph (4), the articles covered by paragraph (a) are those included in Supplementary Order 131 (10 F.R. 11236, 11830, 12116, 13283, 13289, 13812).

3. Subparagraph (4) is added to section 2 (a) to read as follows:

(4) All types of knitted lightweight and heavyweight underwear, including knitted sleeping garments and knitted athletic, sweat and "Tee" shirts. The types include any knitted underwear, regardless of yarn content, worn by men, women, children and infants. "Knitted" underwear means underwear of which the body fabric is made of 50% or more knitted fabric by weight.

4. Subdivision (iv) is added to section 2 (b) (1) to read as follows:

| Under the column headed by "Article": | *Under the column headed by "Markup on net cost (percent)"* |
|---|---|
| (iv) All types of knitted lightweight and heavyweight underwear, including knitted sleeping garments and knitted athletic, sweat and "Tee" shirts | 56.5% |

[1] 10 F.R. 3015, 3403, 3642, 4226, 4434, 4911, 9362, 13715.

[2] 10 F.R. 12093, 13314.

This amendment shall become effective December 20, 1945.

Issued this 13th day of December 1945.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 45-22278; Filed, Dec. 13, 1945; 11:27 a. m]

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[MPR 591, Order 164]

SPECIFIED MECHANICAL BUILDING EQUIPMENT

NOTIFICATION BY MANUFACTURERS TO RETAILERS OF RETAIL CEILING PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 22 of Maximum Price Regulation No. 591, it is ordered:

(a) *Scope of this order.* The Office of Price Administration has issued orders under Maximum Price Regulation No. 591 which establish dollar and cent retail ceiling prices and which require manufacturers to attach a tag or label to or otherwise mark the articles covered by those orders setting forth the retail ceiling price. This order applies to those orders insofar as they require sellers who sell to retailers to notify the retailer of his ceiling price to the ultimate consumer.

(b) *Sellers to retailers not required to give notification.* Regardless of any contrary provision which may appear in any orders heretofore or hereafter, issued under Maximum Price Regulation No. 591, which establish dollars-and-cents retail ceiling prices and require the manufacturer to attach a tag or label to or otherwise mark the article showing the retail ceiling price, sellers of those articles to retailers shall not be required to furnish the retailer with any notification of the retail ceiling prices of those articles.

(c) *Tagging or marking requirements unchanged.* This order does not in any way affect any provision in any order issued under Maximum Price Regulation No. 591 which requires a manufacturer to attach to his articles a tag or label or otherwise mark the articles setting forth the retail ceiling prices of those articles.

(d) This order may be revoked or amended at any time.

This order shall become effective December 17, 1945.

Issued this 13th day of December 1945.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 45-22319; Filed, Dec. 13, 1945; 11:37 a. m.]

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[MPR 592, Amdt. 21 to Order 1]

READY-MIXED CONCRETE

MODIFICATION OF MAXIMUM PRICES

An opinion accompanying this Amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Order 1 under Maximum Price Regulation No. 592 is amended in the following respects:

Section 4.4 is amended to read as follows:

SEC. 4.4 *Modification of maximum prices of ready-mixed concrete.* The manufacturer's maximum prices established pursuant to Maximum Price Regulation 592, for ready-mixed concrete, may be increased by adding to the established maximum prices per cubic yard for each specification of that commodity an amount not to exceed the actual dollars-and-cents additional cost, rounded off to the nearest $0.05 per cubic yard, resulting from the price increases for sales of cement permitted by Amendments Nos. 6, 9, 10, 11, 12 and 13 to Maximum Price Regulation No. 224. The term "manufacturer" as used here means any person who makes the first sale of ready-mixed concrete.

This amendment shall become effective December 18, 1945.

Issued this 13th day of December 1945.

JAMES G. ROGERS, Jr.,
*Acting Administrator.*

[F. R. Doc. 45-22325; Filed, Dec. 13, 1945; 11:39 a. m.]

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## Regional and District Office Orders.

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Revised General Order 51 were filed with the Division of the Federal Register December 4, 1945.

REGION II

Albany Order 27, Amendment 4, covering dry groceries in certain areas in New York. Filed 4:30 p. m.

Albany Order 27, Amendment 5, covering dry groceries in certain areas in New York. Filed 4:30 p. m.

Albany Order 29, Amendment 2, covering dry groceries in certain counties in New York. Filed 4:29 p. m.

Albany Order 3-W, Amendment 2, covering dry groceries in certain areas in New York. Filed 4:28 p. m.

New York Order 9-F, Amendment 43, covering fresh fruits and vegetables in the five Boroughs of New York City. Filed 10:01 a. m.

New York Order 10-F, Amendment 43, covering fresh fruits and vegetables in all of Nassau and Westchester counties, New York. Filed 10:02 a. m.

New York Order 13-F, Amendment 15, covering fresh fruits and vegetables in certain counties in New York. Filed 10:02 a. m.

Philadelphia Order 6-F, Amendment 55, covering fresh fruits and vegetables in the City and County of Philadelphia. Filed 4:27 p. m.

Philadelphia Order 11-F, Amendment 30, covering fresh fruits and vegetables in the counties of Bucks, Chester, Delaware & Montgomery, Pennsylvania. Filed 4:27 p. m.

Philadelphia Order 12-F, Amendment 30, covering fresh fruits and vegetables in the counties of Berks, Lehigh and Northampton, Pennsylvania. Filed 4:28 p. m.

Pittsburgh Order 1-D, covering butter and cheese in certain counties in Pennsylvania. Filed 10:11 a. m.

Pittsburgh Order 2-D, covering butter and cheese in certain counties in Pennsylvania. Filed 10:11 a. m.

Pittsburgh Order 3-D, covering butter and cheese in certain counties in Pennsylvania. Filed 10:11 a. m.

Pittsburgh Order 4-D, covering butter and cheese in certain counties in Pennsylvania. Filed 10:12 a. m.

Pittsburgh Order 3-F, Amendment 35, covering fresh fruits and vegetables in all of Erie and Warren county, Pennsylvania. Filed 10:02 a. m.

Pittsburgh Order 3-F, Amendment 36, covering fresh fruits and vegetables in all of Erie and Warren county, Pennsylvania. Filed 10:02 a. m.

Pittsburgh Order 3-F, Amendment 37, covering fresh fruits and vegetables in all of Erie and Warren county, Pennsylvania. Filed 10:03 a. m.

Pittsburgh Order 3-F, Amendment 38, covering fresh fruits and vegetables in all of Erie and Warren county, Pennsylvania. Filed 10:03 a. m.

Pittsburgh Order 3-F, Amendment 39, covering fresh fruits and vegetables in all of Erie and Warren county, Pennsylvania. Filed 10:04 a. m.

Pittsburgh Order 6-F, Amendments 21, 22, 23, 24, 25, and 26, covering fresh fruits and vegetables in certain counties in Pennsylvania. Filed 10:04, 10:05 and 10:06 a. m.

Pittsburgh Order 7-F, Amendments 15, 16, 17, 18, 19, and 20, covering fresh fruits and vegetables in Allegheny county, Pennsylvania. Filed 10:06 and 10:07 a. m.

Pittsburgh Order 8-F, Amendments 4, 5, 6, and 7, covering fresh fruits and vegetables in the counties of Crawford, Forest and Venango. Filed 10:07, 10:08 and 10:09 a. m.

Pittsburgh Order 3-F, Amendments 16, 17, and 18, covering dry groceries in the Pittsburgh Marketing area consisting of 9 counties. Filed 10:09 and 10:10 a. m.

Pittsburgh Orders 19, 20, and 21, Amendment 2, covering dry groceries in the Erie Marketing area consisting of 7 counties. Filed 10:10 a. m.

Williamsport Order 4-F, Amendments 11 and 12, covering fresh fruits and vegetables in certain counties in Pennsylvania. Filed 9:47 and 9:46 a. m.

REGION III

Cincinnati Order 4-F, Amendments 47 and 48, covering fresh fruits and vegetables in all of Hamilton county, Ohio. Filed 9:46 a. m.

Cincinnati Order 8-F, Amendments 17 and 18, covering fresh fruits and vegetables in certain counties in Ohio excluding College Corner and Union City, Ohio. Filed 9:46 a. m.

Columbus Order 10-F, Amendments 20 and 21, covering fresh fruits and vegetables in Franklin, Logan and Muskingum, Ohio. Filed 10:12 a. m.

Columbus Order 11-F, Amendments 20 and 21, covering fresh fruits and vegetables in certain counties in Ohio. Filed 10:12 a. m.

Lexington Order 13, Amendment 5, covering dry groceries in the Lexington, Kentucky District except certain counties. Filed 9:44 a. m.

Lexington Order 4-C, covering poultry in the entire Lexington, Kentucky District and Owen and Gallatin counties in the Louisville, Kentucky District. Filed 9:44 a. m.

Lexington Order 5-W, Amendment 6, covering dry groceries in the Lexington, Kentucky District except certain counties. Filed 9:43 a. m.

Louisville Order 32, Amendment 4, covering dry groceries in all counties in Louisville, except Gallatin, Jefferson and Owen counties. Filed 10:13 a. m.

Cincinnati Order 24, Amendment 2, covering dry groceries in the Cincinnati, Ohio District area. Filed 9:45 a. m.

Cincinnati Order 9-W, Amendment 2, covering dry groceries in the entire Cincinnati, Ohio District area. Filed 9:45 a. m.

Cincinnati Order 1-O, Amendment 6, covering eggs in Hamilton and Montgomery counties in the Cincinnati, Ohio District area. Filed 9:45 a. m.

REGION IV

Columbia Order 8–F, Amendment 6, covering fresh fruits and vegetables in the entire State of South Carolina. Filed 4:37 p. m.

Columbia Order 23–O and 24–O, Amendment 1, covering eggs sold by Groups 1 and 2 and Groups 3 and 4 stores in the South Carolina area. Filed 4:37 p. m.

Columbia Order 25–O and 26–O, Amendment 1, covering eggs sold by Groups 1 and 2 and Groups 3 and 4 stores in the South Carolina area. Filed 4:36 p. m.

Roanoke Order 6–W, Amendment 4, covering dry groceries. Filed 9:40 a. m.

REGION V

Little Rock Order 14–F, Amendment 11, covering fresh fruits and vegetables in certain counties in Arkansas. Filed 10:14 a. m.

Little Rock Order 15–F, Amendment 11, covering fresh fruits and vegetables in certain counties in Arkansas. Filed 10:12 a. m.

New Orleans Orders 18 and 19, Amendment 1, covering dry groceries sold by Groups 1 and 2 and 3 and 4. Filed 10:12 and 10:11 a. m.

San Antonio Order 6–F, Amendment 18, covering fresh fruits and vegetables in Bexar county, Texas. Filed 10:11 a. m.

San Antonio Order 7–F, Amendment 18, covering fresh fruits and vegetables in Austin, Texas. Filed 10:11 a. m.

San Antonio Order 8–F, Amendment 18, covering fresh fruits and vegetables in Corpus Christi, Texas. Filed, 10:10 a. m.

San Antonio Order 9–F, Amendment 7, covering fresh fruits and vegetables in Culberson, El Paso, Hudspeth and Presidio counties, Texas. Filed 10:25 a. m.

St. Louis Order 23, Amendment 1, covering dry groceries sold by Groups 1 and 2 stores. Filed 10:10 a. m.

St. Louis Order 23, Amendment 2, covering dry groceries in the St. Louis District area. Filed 10:10 a. m.

St. Louis Order 24, Amendment 1, covering dry groceries in the St. Louis District area. Filed 10:09 a. m.

St. Louis Order 24, Amendment 2, covering dry groceries in the St. Louis District area. Filed 10:09 a. m.

St. Louis Order 25, Amendment 1, covering dry groceries in the St. Louis District area. Filed 10:09 a. m.

St. Louis Order 25, Amendment 2, covering dry groceries in the St. Louis District area. Filed 10:09 a. m.

St. Louis Order 5–W, Amendment 1, covering dry groceries in the St. Louis District area. Filed 10:13 a. m.

St. Louis Order 6–W, Amendment 1, covering dry groceries in the St. Louis District area. Filed 10:13 a. m.

Wichita Order 14–F, Amendment 2, covering fresh fruits and vegetables in certain counties in Kansas. Filed 10:08 a. m.

Wichita Order 15–F, Amendment 2, covering fresh fruits and vegetables in certain counties in Kansas. Filed 10:08 a. m.

Wichita Order 16–F, Amendment 2, covering fresh fruits and vegetables in Reno county, Kansas. Filed 10:07 a. m.

Wichita Order 17–F, Amendment 2, covering fresh fruits and vegetables in Shawnee county, Kansas. Filed 10:07 a. m.

REGION VI

Des Moines Order 4–F, Amendment 9, covering fresh fruits and vegetables in the Sioux City area. Filed 10:07 a. m.

Des Moines Order 5–F, Amendment 9, covering fresh fruits and vegetables in the Des Moines area. Filed 10:00 a. m.

Des Moines Order 6–F, Amendment 9, covering fresh fruits and vegetables in the Cedar Rapids area. Filed 10:06 a. m.

Des Moines Order 7–F, Amendment 9, covering fresh fruits and vegetables in the Davenport area. Filed 10:06 a. m.

Des Moines Order 1–O, Amendment 6, covering eggs in the cities of Des Moines, West Des Moines and Marshalltown, Iowa. Filed 10:05 a. m.

Des Moines Order 2–O, Amendment 2, covering eggs in Sioux City and Council Bluffs area. Filed 10:05 a. m.

Des Moines Order 4–O, Amendment 2, covering eggs in Dubuque, Waterloo, Cedar Rapids, Clinton, Davenport, Burlington and Ottumwa areas. Filed 10:04 a. m.

Fargo Order 1–F, 2–F and 3–F, Amendment 19, covering fresh fruits and vegetables in certain counties in North Dakota. Filed 10:04 and 10:03 a. m.

Milwaukee Order 8–F, Amendment 37, covering fresh fruits and vegetables in Dane County, Wisconsin. Filed 10:13 a. m.

Milwaukee Order 9–F, Amendment 37, covering fresh fruits and vegetables in Sheboygan and Fond du Lac counties, Wisconsin. Filed 10:14 a. m.

Milwaukee Order 11–F, Amendment 29, covering fresh fruits and vegetables in Milwaukee county and the cities of Racine and Kenosha, Wisconsin. Filed 10:14 a. m.

Milwaukee Order 12–F, Amendment 10, covering fresh fruits and vegetables in the cities of La Crosse and Sparta, Wisconsin. Filed 10:14 a. m.

Milwaukee Order 1–O, Amendment 1, covering eggs in Milwaukee county, Wisconsin. Filed 10:15 a. m.

Milwaukee Order 1–O, covering eggs sold by Groups 1 and 2 in the Milwaukee county area. Filed 10:15 a. m.

Milwaukee Order 32, covering dry groceries in certain counties in Wisconsin. Filed 10:15 a. m.

Omaha Order 10–F, Amendment 37, covering fresh fruits and vegetables in the cities of Omaha, Nebraska, and Council Bluffs, Iowa. Filed 10:03 a. m.

Omaha Order 11–F, Amendment 38, covering fresh fruits and vegetables in the city of Lincoln, Nebraska. Filed 10:03 a. m.

Omaha Order 13–F, Amendment 9, covering fresh fruits and vegetables in the cities of North Platte, Kearney, Grand Island, Hastings, Holdrege and McCook, Nebraska. Filed 10:03 a. m.

Omaha Order 25, covering dry groceries sold by Groups 3 and 4 stores in the Omaha District area. Filed 10:00 a. m.

Omaha Order 27, Amendment 2, covering dry groceries sold by Groups 1 and 2 stores in Lancaster county, Nebraska. Filed 4:36 p. m.

Omaha Order 28, Amendment 2, covering dry groceries sold by Groups 1 and 2 stores in certain Nebraska and Iowa counties. Filed 4:35 p. m.

Omaha Order 29, Amendment 2, covering dry groceries sold by Groups 1 and 2 stores in certain Nebraska counties. Filed 4:34 p. m.

Omaha Order 8–W, Amendment 2, covering dry groceries in Lancaster county, Nebraska. Filed 4:34 p. m.

Peoria Order 1–C and 2–C, Amendment 1, covering poultry in certain counties in Illinois. Filed 4:34 and 4:33 p. m.

Sioux Falls Order 2–F, Amendment 17, covering fresh fruits and vegetables in the city of Sioux Falls, South Dakota. Filed 9:39 a. m.

Twin Cities Order 1–F, Amendment 45, covering fresh fruits and vegetables in Minneapolis and St. Paul and any municipalities and adjoining cities. Filed 10:02 a. m.

Twin Cities Order 2–F, Amendment 19, covering fresh fruits and vegetables in certain designated counties in Minnesota and Wisconsin. Filed 4:32 p. m.

Twin Cities Order 3–F, Amendment 10, covering fresh fruits and vegetables in Duluth and Proctor, Minnesota and Superior, Wisconsin. Filed 10:01 p. m.

Twin Cities Order 4–F, Amendment 10, covering fresh fruits and vegetables in the Winona, Minnesota area. Filed 10:01 a. m.

Twin Cities Order 5–F, Amendment 9, covering fresh fruits and vegetables in the city of Rochester, Minnesota. Filed 10:01 a. m.

Twin Cities Order 6–F, Amendment 2, covering fresh fruits and vegetables in certain areas in Minnesota. Filed 4:31 p. m.

REGION VII

Albuquerque Order 8–F, Amendment 42, covering fresh fruits and vegetables in the Albuquerque area including the city of Albuquerque. Filed 9:59 a. m. and 10:00 a. m.

Albuquerque Order 9–F, Amendment 17, covering fresh fruits and vegetables in Gallup, Santa Fe, Las Vegas and Bernalillo area. Filed 9:59 a. m.

Albuquerque Order 10–F, Amendment 18, covering fresh fruits and vegetables in certain areas in New Mexico. Filed 9:58 a. m.

Albuquerque Order 11–F, Amendment 19, covering fresh fruits and vegetables in certain areas in New Mexico. Filed 9:58 a. m.

Albuquerque Order 12–F, Amendment 18, covering fresh fruits and vegetables in certain areas in New Mexico. Filed 9:58 a. m.

Denver Order 68, Amendment 1, covering dry groceries in the Denver area. Filed 9:33 a. m.

REGION VIII

Los Angeles Order L. A. 12, Amendment 12, covering dry groceries in the Los Angeles Metropolitan area. Filed 4:21 p. m.

Los Angeles Order L. A. 12, Amendment 13, covering dry groceries in the Los Angeles Metropolitan area. Filed 4:21 p. m.

Los Angeles Order L. A. 13, Amendment 8, covering dry groceries in the San Bernardino-Riverside area. Filed 10:16 a. m.

Los Angeles Order 14, Amendment 3, covering dry groceries in the San Diego area. Filed 10:14 a. m.

Los Angeles Order L. A. 14, Amendment 8, covering dry groceries in the Santa Barbara-Ventura area. Filed 4:21 p. m.

Los Angeles Order 15, Amendment 2, covering dry groceries in the Imperial area. Filed 10:14 a. m.

Los Angeles Order L. A. 15, Amendment 8, covering dry groceries in the San Luis Obispo area. Filed 4:20 p. m.

Los Angeles Order 16, Amendment 2, covering dry groceries in the San Diego and Imperial area. Filed 10:14 a. m.

Los Angeles L. A. 16 and 17, Amendment 8, covering dry groceries in certain specified communities. Filed 4:20 p. m.

Los Angeles Order 1–D, Amendment 1, covering butter and cheese in the Los Angeles District. Filed 10:15 a. m.

Los Angeles Order 35, Amendment 5, covering dry groceries in Kern county. Filed 10:16 a. m.

Los Angeles Order 36, Amendment 1, covering dry groceries in Kern county area. Filed 10:15 a. m.

Los Angeles Order L. A. 12, Amendment 8, covering dry groceries in the Los Angeles Metropolitan area. Filed 10:16 a. m.

Los Angeles Order L. A. 1–W, Amendment 9, covering dry groceries. Filed 10:16 a. m.

Nevada Orders 12–F and 13–F, Amendment 10, covering fresh fruits and vegetables in certain areas in Nevada. Filed 9:57 a. m.

Phoenix Order 10–F, Amendment 14, covering fresh fruits and vegetables in the Tucson area. Filed 9:39 a. m.

Phoenix Order 11–F, Amendment 13, covering fresh fruits and vegetables in the Cochise Area. Filed 9:38 a. m.

Phoenix Order 23, Amendment 2, covering dry groceries in the Eastern Arizona area. Filed 9:36 a. m.

Phoenix Order 24, Amendment 3, covering dry groceries in the South Central area. Filed 9:35 a. m.

Portland Order 33–F, Amendment 5, covering fresh fruits and vegetables in the Oregon area. Filed 9:56 a. m.

Portland Order 32, Amendment 5, covering fresh fruits and vegetables in certain areas in Oregon. Filed 9:56 a. m.

Portland Order 34–F, Amendment 5, covering fresh fruits and vegetables in the Oregon area. Filed 9:56 a. m.

Portland Order 35–F, Amendment 5, covering fresh fruits and vegetables in the Oregon area. Filed 9:56 a. m.

Portland Order 36–F, Amendment 5, covering fresh fruits and vegetables in the cities of Bend and Pendleton, Oregon. Filed 9:56 a. m.

Portland Order 37–F, Amendment 5, covering fresh fruits and vegetables in the Oregon area. Filed 9:55 a. m.

Portland Order 38–F, Amendment 5, covering fresh fruits and vegetables in the Oregon area. Filed 9:53 a. m.

Portland Order 39–F, Amendment 5, covering fresh fruits and vegetables in the Oregon area. Filed 9:53 a. m.

Portland Order 40–F, Amendment 4, covering fresh fruits and vegetables in the city of Dalles, Oregon. Filed 9:52 a. m.

Portland Order 41–F, Amendment 5, covering fresh fruits and vegetables in the Oregon area. Filed 9:52 a. m.

Portland Order 42–F, Amendment 5, covering fresh fruits and vegetables in the Portland area. Filed 9:52 a. m.

San Francisco Order 13–F, Amendments 23 and 24, covering fresh fruits and vegetables in certain cities and towns in California. Filed 9:52 a. m.

San Francisco Order 13–F, Amendments 26 and 27, covering fresh fruits and vegetables in certain cities and towns in California. Filed 9:51 a. m.

San Francisco Order 13–F, Amendments 28 and 29, covering fresh fruits and vegetables in certain cities and towns in California. Filed 9:51 a. m.

San Francisco Order 14–F, Amendment 27, covering fresh fruits and vegetables in certain areas in California. Filed 9:50 a. m.

San Francisco Order 15–F, Amendments 23 and 26, covering fresh fruits and vegetables in certain areas in California. Filed 9:49 a. m.

San Francisco Order 15–F, Amendments 28 and 29, covering fresh fruits and vegetables in certain areas in California. Filed 9:48 a. m.

San Francisco Order 14–F, Amendments 23 and 26, covering fresh fruits and vegetables in certain areas in California. Filed 9:50 a. m.

San Francisco Order 14–F, Amendments 28 and 29, covering fresh fruits and vegetables in certain areas in California. Filed 9:50 and 9:49 a. m.

San Francisco Order 15–F, Amendment 27, covering fresh fruits and vegetables in certain areas in California. Filed 9:49 a. m.

San Francisco Order 16–F, Amendments 23 and 26, covering fresh fruits and vegetables in Del Norte and Humboldt counties, California, excepting the city of Eureka. Filed 9:48 and 9:47 a. m.

San Francisco Order 16–F, Amendments 27 and 28, covering fresh fruits and vegetables in Del Norte and Humboldt counties, California, excepting the city of Eureka. Filed 9:47 a. m.

Nevada Order 14–F, Amendment 10, covering fresh fruits and vegetables in Baker, East Ely, Ely, Kimberly, Lund, McGill, Preston, Reiptown, and Ruth. Filed 9:57 a. m.

Nevada Order 15–F, Amendment 10, covering fresh fruits and vegetables in Blue Diamond, Henderson, Las Vegas, Logandale, North Las Vegas, Pittman, Sloan, and Whitney. Filed 9:56 a. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
*Secretary.*

[F. R. Doc. 45–22244; Filed, Dec. 12, 1945; 4:28 p. m.]